

## TABLE OF CONTENTS

1			
2			
3	<b>CHAPTER 21.04: ZONING DISTRICTS .....</b>		<b>128</b>
4	<b>21.04.010 General Provisions .....</b>		<b>128</b>
5	A. Districts Established; Zoning Map .....		128
6	B. Relationship to Overlay Districts .....		129
7	<b>21.04.020 Residential Districts.....</b>		<b>129</b>
8	A. General Purpose/Intent .....		129
9	B. R-1: Single-Family Residential District .....		131
10	C. R-2: Two-Family Residential District .....		131
11	D. R-3: Mixed Residential District .....		131
12	E. R-4: <del>Medium to High Density</del> Multi-Family Residential District.....		133
13	F. R-5: <del>Low-Density</del> Residential <del>with Mobile Homes</del> District ( <del>Large Lot</del> ).....		133
14	G. R-6: <del>Suburban</del> <del>Low-Density</del> Residential ( <del>1 acre</del> ) District ( <del>Large Lot</del> ).....		133
15	.....		133
16	H. <del>R-9: Rural</del> <del>Low-Density</del> Residential ( <del>one-half acre</del> ) District.....		133
17	I. <del>R-10: Low-Density</del> Residential <del>Alpine/Slope</del> ( <del>2.5 acres</del> ) District .....		134
18	<del>21.04.030.....</del> <del>Commercial Districts</del>		
19	.....		
20	.....		
21	.....		
22	<del>A. General Purpose/Intent .....</del>		<del>21.04.030</del>
23	<del>Commercial and Office Districts .....</del>		<del>136</del>
24	<del>B. C-1: Local and Neighborhood Commercial District .....</del>		<del>A.</del>
25	.....		<del>General Purpose/Intent</del>
26	.....		<del>136</del>
27	<del>C. C-2A: Central Business District, Core .....</del>		<del>B.</del>
28	.....		<del>AC: Auto Commercial Corridor District</del>
29	.....		<del>137</del>
30	<del>D. C-2B, .....</del>		<del>CBD-1: Central Business District, Intermediate</del>
31	.....		<del>Core</del>
32	<del>E. C-2CD, .....</del>		<del>CBD-2: Central Business District, Periphery</del>
33	.....		<del>Intermediate</del>
34	<del>F. GC: General Commercial District .....</del>		<del>E.</del>
35	.....		<del>CBD-3: Central Business District, Periphery</del>
36	.....		<del>144</del>
37	<del>GF. MC: Marine Commercial District.....</del>		<del>145</del>
38	<del>21.04.040.....</del> <del>Industrial Districts</del>		
39	.....		<del>G.</del>
40	.....		<del>O: Office District</del>
41	.....		<del>146</del>
42	<del>A. General Purpose/Intent .....</del>		<del>21.04.040</del>
43	<del>Mixed-Use Districts.....</del>		<del>147</del>
44	<del>B. I-1: Light Industrial District .....</del>		<del>A.</del>
45	.....		<del>General Purpose/Intent</del>
46	.....		<del>147</del>
47	<del>C. I-2: Heavy Industrial District.....</del>		<del>B.</del>
48	.....		<del>RMX: Residential Mixed-Use District</del>
49	.....		<del>148</del>
50	<del>D. MI: Marine Industrial District .....</del>		<del>C.</del>
51	.....		<del>NMU-1: Small-Scale Neighborhood Mixed-Use District</del>
52	.....		<del>149</del>

1	21.04.050.....	D.	
2	.....	NMU-2: Neighborhood	Mixed-Use Districts
3	.....		149
4	A. Purpose.....	E.	
5	.....	CCMU: Community Commercial	Mixed-Use District
6	.....		149
7	B. Types of F.....	RCMU: Regional Commercial	Mixed-Use Districts
8	.....		149
9	C. Criteria For Rezoning Property to G.....	MMU: Midtown	Mixed-Use District
10	.....		149
11	D. Mix of Principal Uses Required.....	H.	
12	.....	Mixed-Use District	Development Standards
13	.....		149
14	<b>E. Development Standards for Mixed-Use Districts.....</b>	<b>21.04.050</b>	
15	<b>Industrial Districts.....</b>		<b>149</b>
16	21.04.060.....		Other Districts
17	.....	A.	
18	.....	General Purpose/Intent	
19	.....		149
20	A. AD: Airport Development District.....	B.	
21	.....	IC: Industrial / Commercial	District
22	.....		149
23	B. AF: Antenna Farm District.....	C.	
24	.....	I-1: Light Industrial	District
25	.....		149
26	C. OL: Open Lands D.....	I-2: Heavy Industrial	District
27	.....		149
28	D. PLI: Public Lands and Institutions District.....	E.	
29	.....	MI: Marine Industrial	District
30	.....		149
31	<b>E. TA: Turnagain Arm District.....</b>	<b>21.04.060</b>	
32	<b>Other Districts.....</b>		<b>149</b>
33	F. W: Watershed A.....	AD: Airport Development	District
34	.....		149
35	21.04.070.....		Overlay Zoning Districts
36	.....	B.	
37	.....	AF: Antenna Farm	District
38	.....		149
39	A. General Purpose/Intent.....	C.	
40	.....	OL: Open Lands	District
41	.....		149
42	B. Creation, Alteration, or Elimination of Overlay Districts.....	D.	
43	.....	PLI: Public Lands and Institutions	District
44	.....		149
45	C. Airport Height Overlay District.....	E.	
46	.....	PR: Parks and Recreation	District
47	.....		149
48	D. Neighborhood Conservation Overlay District.....	F.	
49	.....	TA: Turnagain Arm	District
50	.....		149
51	E. Flood Hazard Overlay G.....	W: Watershed	District
52	.....		149
53	<b>21.04.070 Overlay Zoning Districts.....</b>		<b>149</b>

1	A. General Purpose/Intent .....	149
2	B. Creation, Alteration, or Elimination of Overlay Districts .....	149
3	C. AHO: Airport Height Overlay District .....	149
4	D. NCO: Neighborhood Conservation Overlay District .....	149
5	E. FHO: Flood Hazard Overlay District .....	149
6		



# CHAPTER 21.04: ZONING DISTRICTS

## 21.04.010 GENERAL PROVISIONS

This ~~Chapter~~chapter establishes the zoning districts and contains basic information pertaining to zoning districts, ~~primarily including~~ statements of purpose and district-specific regulations. The following ~~Chapters~~chapters 21.05 and 21.06 set forth the uses allowed within the districts and the dimensional standards applying to development in the districts, respectively.

### A. Districts Established; Zoning Map

#### 1. Zoning Districts Established

The ~~Municipality is divided into the~~ following zoning districts are established:

District Type	Abbreviation	District Name
Residential Districts	R-1	Single-Family Residential
	R-2	Two-Family Residential
	R-3	Mixed Residential
	R-4	<del>Medium- to High-Density</del> Multi-Family Residential
	R-5	<del>Low-Density</del> Residential ( <del>Large Lot</del> )with <u>Mobile Homes</u>
	R-6	<del>Suburban</del> <u>Low-Density</u> Residential ( <del>Large Lot</del> ) <u>1 acre</u> )
	<del>R-9</del> <u>7</u>	<del>Rural</del> <u>Low-Density</u> Residential ( <u>one-half acre</u> )
	<del>R-10</del> <u>9</u>	<del>Low-Density</del> Residential <u>Alpine/Slope</u> ( <u>2.5 acres</u> )
<del>Commercial Districts</del>	<del>C-1</del>	<del>Local and Neighborhood Commercial</del>
	<del>C-2A</del>	<del>Central Business District, Core</del>
	<del>R-10</del>	<del>Low-Density Residential, Alpine/Slope</del>
<u>Commercial Districts</u>	<u>AC</u>	<u>Auto Commercial Corridor</u>
	<del>C-2</del> <u>BBD-1</u>	Central Business District, <u>Intermediate</u> <u>Core</u>
	<del>C-2</del> <u>GBD-2</u>	Central Business District, <u>Periphery</u> <u>Intermediate</u>
	<del>GC</del> <u>CBD-3</u>	<del>General-Commercial</del> <u>Central Business District, Periphery</u>
	MC	Marine Commercial
<del>Industrial Districts</del>	<del>I-1</del>	<del>Light Industrial</del>
	<del>I-2</del>	<del>Heavy Industrial</del>
	<u>O</u>	<u>Office</u>
<u>Mixed-Use Districts</u>	<u>RMX</u>	<u>Residential Mixed-Use</u>
	<del>M</del> <u>NMU-1</u>	<del>Marine Industrial</del> <u>Small-Scale Neighborhood Mixed-Use</u>
<del>Mixed-Use Districts</del>	<del>NMU</del>	<del>Neighborhood Mixed-Use</del>
	<u>NMU-2</u>	<u>Neighborhood Mixed-Use</u>
	CCMU	Community Commercial Mixed-Use
	RCMU	Regional Commercial Mixed-Use
	<del>RMX</del> <u>MMU</u>	<del>Residential</del> <u>Midtown</u> Mixed-Use

TABLE 21.04-1: ZONING DISTRICTS ESTABLISHED		
District Type	Abbreviation	District Name
<u>Industrial Districts</u>	<u>IC</u>	<u>Industrial / Commercial</u>
	<u>I-1</u>	<u>Light Industrial</u>
	<u>I-2</u>	<u>Heavy Industrial</u>
	<u>MI</u>	<u>Marine Industrial</u>
Other Districts	AD	Airport Development
	AF	Antenna Farm
	OL	Open Lands
	<u>PR</u>	<u>Parks and Recreation</u>
	PLI	Public Lands and Institutions
	TA	Turnagain Arm
	W	Watershed
<u>Girdwood Districts</u>	<u>Girdwood Districts are set forth in Chapter 21.09, Girdwood.</u>	
Overlay Zoning Districts	AHO	Airport Height Overlay
	NCO	Neighborhood Conservation Overlay
	<u>FPOFHO</u>	<u>Floodplain Flood Hazard</u> Overlay
<u>Girdwood Districts</u>	<u>Girdwood Districts are set forth in chapter 21.09, Girdwood.</u>	

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**2. Zoning Map**

The use districts are shown on the Official Zoning Map (See Sectionsection 21.01.050). Procedures for amending the zoning map are ~~set forth~~ in Sectionsection 21.03.050, *Rezoning (Map Amendments)*.

**B. Relationship to Overlay Districts**

All lands within the Municipality shall be designated as one of the base zoning districts set forth in Sectionsections 21.04.020 through 21.04.060. In addition, some lands may be designated as one or more of the overlay districts set forth in Sectionsection 21.04.070. Where the property is designated as an overlay district as well as a base zoning district, the regulations governing development in the overlay district shall apply in addition to the regulations governing development in the underlying base district. In the event of an express conflict between the two sets of standards, the standards for the overlay district shall control.

**21.04.020 RESIDENTIAL DISTRICTS<sup>1</sup>**

**A. General Purpose/Intent**

The residential zoning districts ~~contained~~ established in this Sectionsection generally are intended to:

- 1 1. Provide appropriately located areas for residential development that are  
2 consistent with the Comprehensive Plan and with standards of public health  
3 and safety established by this ~~Title;Code;~~
- 4 2. Reserve areas for residential living that offer a broad range of lot sizes,  
5 dwelling types, densities, and housing choices, and that offer a range of  
6 ~~urban, suburban, and rural~~ living environments;
- 7 3. Conserve residential lands for housing by limiting conversion of the residential  
8 land base to non-residential uses, and by ~~ensuring that~~encouraging  
9 residential development ~~does not~~ occur at ~~less than or near~~ zoned densities;
- 10 4. Allow for a variety of housing types that meet the diverse economic and social  
11 needs of residents;
- 12 ~~5. Continue to allow mixed density residential development in certain districts,~~  
13 ~~provided the development maintains or improves the function and appearance~~  
14 ~~of surrounding development and traffic flow;~~
- 15 ~~6. Protect sensitive environmental and cultural resources;~~
- 16 5. Protect the scale and character of existing residential neighborhoods and  
17 community character;
- 18 6. ~~Ensure adequate~~Provide light, air, privacy, and open space for each  
19 residential dwelling, and protect residents from the harmful effects of  
20 excessive noise, glare and light pollution, traffic congestion, and other  
21 significant adverse environmental effects;
- 22 7. Protect residential areas from commercial and industrial hazards such as  
23 fires, explosions, and toxic fumes and substances, ~~and other public safety~~  
24 ~~hazards;~~
- 25 8. Mitigate the risk to residential areas from natural hazards such as wildfires,  
26 floods, avalanches, and geologic hazards; ~~and~~
- 27 9. Facilitate the provision of public services and facilities, such as schools,  
28 parks, religious assembly, utility substations, and telecommunications  
29 infrastructure, which are needed to accommodate planned population  
30 densities.; and
- 31 10. Minimize negative environmental impacts of development on stream  
32 corridors, wetlands, and other important natural resources.

1 | **B. R-1: Single-Family Residential District<sup>12</sup>**

2 | 1. **Purpose**

3 | The R-1 district is intended primarily for ~~urban and suburban~~ single-family  
4 | residential areas. Certain types of uses, such as governmental, educational,  
5 | religious, or noncommercial recreational uses, may be allowed subject to  
6 | restrictions intended to preserve and protect the single-family residential  
7 | character of the district.

8 | **C. R-2: Two-Family Residential District<sup>23</sup>**

9 | 1. **Purpose**

10 | The R-2 district is intended primarily for ~~urban and suburban~~ single-family and  
11 | two-family residential areas. Certain types of uses, such as governmental,  
12 | educational, religious, or noncommercial recreational uses, may be allowed  
13 | subject to restrictions intended to preserve and protect the residential  
14 | character of the district.

15 | **D. R-3: Mixed Residential District<sup>34</sup>**

16 | 1. **Purpose**

17 | The R-3 district is intended primarily for ~~urban~~ mixed-density residential areas  
18 | with a variety of single-family, two-family, and multi-family dwelling uses with  
19 | medium densities. The R-3 district provides residential neighborhoods ~~that~~  
20 | ~~havewith~~ a greater diversity of housing by allowing a mix of both detached  
21 | and a variety of attached dwelling types in close proximity to each other,  
22 | rather than separated into different use districts. The R-3 district is often  
23 | located in older existing or redeveloping residential neighborhoods ~~with a~~  
24 | ~~traditional grid of streets with alleys~~; existing structures may be renovated or  
25 | rehabilitate-d. Compatible building scale, appearance, and relationship to the  
26 | street is important in this district to integrate the mix of building types into a  
27 | neighborhood. Certain types of uses, such as governmental, educational,  
28 | religious, or noncommercial recreational uses, may be allowed subject to  
29 | restrictions intended to preserve and protect the residential character of the  
30 | district.

---

<sup>1</sup> ~~NOTE: This is a proposed consolidation of the existing R-1 and R-1A districts. The only distinction between the two districts in the current code is that R-1 has a smaller minimum lot size (6,000 square feet, versus 8,400 square feet in the R-1A district), and a smaller minimum lot width requirement (50 feet, versus 70 feet in R-1A). Further discussion is needed about the appropriate lot size and lot width in this new district. For discussion purposes, we propose using the lower minimum requirements to avoid making existing properties nonconforming. Staff agrees with this proposal.~~

<sup>2</sup> ~~NOTE: This is a proposed consolidation of the existing R-2A and R-2D districts. As with the proposed consolidation of the existing R-1 and R-1A districts, we propose using the lower minimum requirements to avoid making existing properties nonconforming. Staff agrees with this proposal.~~

<sup>3</sup> ~~NOTE: This district is based on the existing R-2M district. Based on Anchorage 2020, this district is intended to provide some neighborhoods with a greater diversity of housing by allowing a mix of dwelling types (single family, two family, and multi family structures).~~

2. **District-Specific Standards**

~~a. **Mix of Dwelling Types**<sup>4</sup>~~

~~i. For new residential development on lots greater than one acre in size, single-family detached dwellings shall comprise no more than 25 percent of all dwelling units.~~

~~ii. Residential development on lots greater than one acre and less than five acres shall include a mix of at least two dwelling unit types (i.e., "single family detached," "townhouse dwelling," etc.). No one dwelling unit type shall comprise more than 66 percent of all dwelling units.~~

~~iii. Residential development on lots of five acres or more shall include a mix of at least three dwelling unit types. No one dwelling unit type shall comprise more than 50 percent of all dwelling units. The minimum number of any dwelling unit type provided on lots than are five acres or more shall be five dwelling units.~~

a. **Number of Dwelling Units**

~~Multiple-family dwellings above buildings may contain no more than eight dwelling units are prohibited.~~

b. **R-4: Medium- to High-Density Incentive to Encourage Mix of Dwelling Types**<sup>5</sup>

The Assembly may grant a density bonus of up to 25 percent to the underlying base zoning district density to any residential subdivision plat or site plan containing a mix of housing types, provided the plat or plan complies with the applicable zoning district restrictions on permitted uses and with the following standards:

i. The plat or plan contains a minimum of two different housing types. The following list of housing types shall be used to satisfy this requirement:

(A) Single-family detached dwellings on lots of 8,000 square feet or more;

(B) Single-family detached dwellings on lots of between 6,000 and 8,000 square feet;

(C) Two-family dwellings;

(D) Single-family attached dwellings or townhouses; and

(E) Multi-family dwellings (limited to eight units per building).

ii. A single housing type from the list set forth in subsection i. above shall not constitute more than 75 percent of the total

<sup>4</sup> ~~NOTE: A mix of housing types is desired in this district, pursuant to Anchorage 2020, and these new standards are intended to ensure that new development is not comprised mostly of single-family detached dwellings. In addition, maximum lot sizes and multi-family incentives are suggested in the draft of Chapter 21.06 to achieve targeted densities.~~

1 number of dwelling units. If single-family detached dwellings  
2 are the only housing types included in the mix, then the  
3 difference between the average lot size for each type of  
4 single-family detached dwelling shall be at least 2,500 square  
5 feet.

6 iii. For site plans seeking to obtain a density bonus under this  
7 subsection, the Director shall refer the site plan to the  
8 Assembly for a decision on the award of the bonus only, with  
9 the Director making the final decision on the site plan itself.

10 E. **R-4: Multi-Family Residential District**<sup>66</sup>

11 1. **Purpose**

12 The R-4 district is intended primarily for ~~urban~~ multiple-family dwelling uses  
13 with medium to high residential densities. Certain types of uses, such as  
14 governmental, educational, religious, or noncommercial recreational uses,  
15 may be allowed subject to restrictions intended to preserve and protect the  
16 residential character of the district. The maximum residential density for this  
17 district is 30 dwelling units/acre.

18 F. **R-5: Low-Density Residential with Mobile Homes District** ~~(Large Lot)~~<sup>67</sup>

19 1. **Purpose**

20 The R-5 district is intended primarily for lands that are developing or will  
21 develop for ~~suburban~~ residential purposes and is designed to protect and  
22 conserve areas ~~for a suburban lifestyle by maintaining areas~~ with larger lots  
23 and low population densities. This district permits mobile home dwellings on  
24 individual lots.

25 G. **R-6: Suburban Low-Density Residential (1 acre) District** ~~(Large Lot)~~<sup>78</sup>

26 1. **Purpose**

27 The R-6 district is intended primarily for those land areas where large lots or  
28 acreage development is desirable. The R-6 district is designed to encourage  
29 low-density residential development while at the same time protecting and  
30 enhancing those physical and environmental features that add to the  
31 desirability of large-lot residential living.

32 H. **R-7: Low-Density Residential (one-half acre) District**<sup>9</sup>

33 1. **Purpose**

34 The R-~~67~~ district is intended primarily to encourage low-density residential  
35 development, and is intended for those land areas where large ~~lots or~~  
36 ~~acreage lot~~ development is desirable. ~~The R-6 district is designed to~~  
37 ~~encourage low-density residential development while at the same time~~

<sup>5</sup> ~~NOTE: This district is a proposed consolidation of the existing R-3 and R-4 districts, which are very similar in the current code. Staff agrees with this proposal. Also, staff is considering the idea of allowing a portion of development (e.g., maximum square footage per building) in this zoning district to be available for local-serving commercial use. This will require more discussion.~~

<sup>6</sup> ~~NOTE: This is the existing R-5A district, but a new name is proposed for simplicity.~~

<sup>7</sup> ~~NOTE: This is the existing R-6 district. In the draft of Chapter 21.06, the lot size and width have been revised to eliminate the need to include dedicated rights-of-way.~~

~~protecting and enhancing those physical as an adjunct to the more typical urban and environmental features that add to the desirability of suburban residential living-zoning districts.~~

I. **R-9: ~~Rural~~Low-Density Residential (2.5 acres) District<sup>810</sup>**

1. **Purpose**

The R-9 district is intended primarily for low-density residential development in areas where public sewers and water are unlikely to be provided for a considerable period of time or where topographic or other natural conditions are such that higher-density development and the provision of public sewers and water would be unfeasible at any time. Where public facilities may be provided in the distant future, the regulations are intended to ensure that development during the interim period does not exceed geological and hydrological capacities for safe and healthful maintenance of human habitation, ~~while still allowing for the maintenance of a rural lifestyle.~~

J. **R-10: ~~Low-Density~~ Residential, Alpine/Slope District<sup>911</sup>**

1. **Purpose**

The R-10 district is intended for use in those areas where natural physical features and environmental factors such as slopes, ~~vegetation,~~ alpine and forest ~~vegetation,~~ soils, slope stability, and geologic hazards require unique and creative design for development. Creative site design and site engineering are essential to ensure that the development of these lands will:

- a. ~~Enhance and provide stability to~~Protect natural features such as ponds, streams, wetlands, and forested areas, and ~~will~~ incorporate such features into the development of the site design;
- b. Take into consideration the topography and the location of all physical improvements on the land;
- c. Avoid development of land within ~~geologic-natural~~ hazard areas to minimize the possibility of loss of life and property damage;<sup>12</sup>
- d. Promote the natural flow and storage capacity of any watercourse, to minimize the possibility of flooding or alteration of water boundaries;
- e. Consider the suitability of the soils and subsoils conditions for excavations, site preparation, and on-site sewage disposal;
- f. ~~Consider the adequacy of the~~Provide adequate site drainage to avoid erosion and to control the surface runoff in compliance with ~~Section 208 of Public Law 91-500,~~ the 1972Federal Clean Water Act. The surface runoff and drainage from developments should not exceed the surface runoff and drainage in its natural undeveloped state for all intensities and durations of surface runoff;

<sup>8</sup> NOTE: This is the existing R-9 district; the existing R-8 district is proposed to be consolidated into this district.

<sup>9</sup> NOTE: This is the existing R-10 district.

- 1                   g.     ~~Guarantee~~Provide an adequate supply of potable water for the site
- 2                             development, ~~without destruction or depletion of the water source;~~
- 3                             and
- 4                   h.     Minimize the grading operations, including cut and fill, consistent with
- 5                             the retention of the natural character of the site.

6     ~~21.04.030 COMMERCIAL DISTRICTS~~

7                   **~~A. General Purpose/Intent~~**

8                             ~~The commercial zoning districts contained in this Section generally are intended to:~~

9                   2.     **District-Specific Standards**

- 10                   a.     **Lot and Site Requirements**
- 11                             Table 21.04-2 provides the lot and site requirements for the R-10
- 12                             district.

13

1

**TABLE 21:04-2:  
 LOT AND SITE REQUIREMENTS FOR R-10 DISTRICT<sup>13</sup>**

<u>Average Slope of Lot (percent)</u>	<u>Minimum Lot Area (acres)</u>	<u>Minimum Lot Width (feet)</u>	<u>Maximum All Buildings (percent)</u>	<u>Coverage Impervious Surfaces (percent)</u>	<u>Maximum Units Per Acre</u>
<u>More than 30.00</u>	<u>7.50</u>	<u>300</u>	<u>3</u>	<u>8</u>	<u>0.133</u>
<u>25.01--30.00</u>	<u>5.00</u>	<u>300</u>	<u>5</u>	<u>10</u>	<u>0.20</u>
<u>20.01--25.00</u>	<u>2.50</u>	<u>180</u>	<u>8</u>	<u>14</u>	<u>0.40</u>
<u>20.00 or less</u>	<u>1.25</u>	<u>100</u>	<u>10</u>	<u>20</u>	<u>0.80</u>

Average slope is calculated by the following formula:

$$S = \frac{I * L}{A} * 0.0023$$

Where:  
 S = Average slope of lot or tract in percent  
 I = Contour interval (20 feet or less)  
 L = Sum of length of all contours on lot or tract in feet  
 A = Area of the lot or tract in acres

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When one-third or more of required soils borings reveal bedrock at a depth of less than 16 feet on the lot or tract, lot and site requirements shall be determined as if the average slope were in the next steeper percentage range shown on the table in this paragraph. Any required soil boring that does not extend to a depth of at least 16 feet shall be deemed for the purposes of this subsection to have encountered bedrock.

10

**21.04.030 COMMERCIAL AND OFFICE DISTRICTS**

11

**A. General Purpose/Intent**

12

13

The commercial and office zoning districts established in this section generally are intended to:

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17

1. Provide appropriately located areas consistent with the Comprehensive Plan for a full range of retail and service establishments and convenience and office uses needed by the Municipality's residents, businesses, and workers, and protect such uses from the adverse effects of incompatible uses;

18

19

2. Provide adequate space to meet the needs of commercial development, ~~including off-street parking and loading;~~

20

21

3. Encourage the redevelopment, conversion, and reuse of underused commercial areas, and ~~restrict~~discourage new strip commercial development;

22

23

4. Minimize traffic congestion and avoid the overloading of ~~utilities and other~~ public infrastructure and services;

- 1 5. Strengthen the Municipality's economic base and provide employment  
2 opportunities close to home for residents of the Municipality and surrounding  
3 communities;
- 4 6. Provide for commercial land uses that meet the needs of and attract regional  
5 and statewide populations, in addition to local residents;
- 6 7. Minimize ~~any~~ negative ~~impact~~impacts of commercial development on adjacent  
7 residential districts;
- 8 8. ~~Ensure that the appearance and effects of commercial~~ Minimize negative  
9 environmental impacts of commercial development on stream corridors,  
10 wetlands, and other important natural resources;
- 11 9. Ensure that the appearance of commercial buildings and uses are of high  
12 quality and are ~~harmonious~~compatible with the character of the area in which  
13 they are located; and
- 14 10. Provide sites for public and semi-public uses such as utilities and  
15 telecommunications infrastructure needed to complement commercial  
16 development.

17 **B. ~~C-1: Local and Neighborhood~~ AC: Auto Commercial Corridor District<sup>4014</sup>**

18 **1. Purpose**

19 The ~~C-1~~AC district is intended primarily for ~~convenience business~~ uses that  
20 ~~serve provide~~ commercial goods and services to residents of the ~~daily needs~~  
21 ~~of nearby neighborhoods. Gross floor area limitations help ensure~~ community  
22 ~~in areas that businesses are consistent with the scale of the surrounding area.~~  
23 ~~The district is intended for small, compact areas dependent on automobile~~  
24 ~~access and exposed to heavy automobile traffic. These commercial uses are~~  
25 ~~subject to the public view and they should provide an attractive appearance~~  
26 ~~with landscaping, sufficient parking, and controlled traffic movement.~~  
27 ~~Environmental impacts should be minimized. Abutting residential areas~~  
28 ~~should be protected from potentially negative impacts associated with~~  
29 ~~commercial activity. While AC district areas shall continue to meet the need~~  
30 ~~for auto-related and other auto-oriented uses, it is the Municipality's intent that~~  
31 ~~the AC district also shall provide for safe and convenient personal mobility in~~  
32 ~~other forms. Planning and design shall accommodate pedestrians. This~~  
33 ~~district is not intended for office or mixed-use developments, which are~~  
34 ~~intended to be located in the Office or Mixed-Use districts.~~

35 **2. ~~District Specific Standards~~**

36 **a. ~~Size Limitations~~<sup>44</sup>**

37 The uses listed in the table below shall be allowed in the C-1 District  
38 subject to the listed gross floor area restrictions. Individual  
39 businesses not specified in the table below but allowed in the C-1  
40 District pursuant to the use table in Chapter 21.05 shall be permitted

<sup>40</sup> NOTE: Per discussions with staff, the existing B-1B district has been eliminated, and the existing B-1A district is retained here and renamed C-1.

<sup>44</sup> NOTE: Need to also make these limitations applicable in the NCMU district (coordinate with drafting of NCMU development standards in Module 3).

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to occupy up to a maximum of 10,000 square feet of gross floor area on development sites that have a floor area ratio (FAR) of at least 0.65, or a maximum of 5,000 square feet of gross floor area on sites that have a FAR of less than 0.65.

<b>TABLE 21.04-2: GROSS FLOOR AREA RESTRICTIONS IN THE C-1 AND NMU DISTRICTS</b>	
<b>Use</b>	<b>Size Restrictions (gross floor area)</b>
Animal grooming service or pet shop	2,500 sq. ft. maximum per use
Financial institution	3,000 sq. ft. maximum, provided that the majority floor area of such use provides retail services.
Bar or tavern, Restaurant, Brew Pub	1,500 sq. ft. maximum per use
Offices, including governmental and charitable organization	1,500 sq. ft. maximum per office use and the cumulative total of all office uses shall not exceed 15% of the total floor area of the C-1 or NMU district
Retail, personal service use	1,500 sq. ft. maximum per use
Farmers market	10,000 sq. ft. maximum if indoors; total development site size of no greater than 20,000 square feet.
General retail	5,000 sq. ft. maximum, provided that such use has a floor area ratio (FAR) of at least 0.5, and does not exceed 35% of the C-1 or NMU district
Grocery or food store	25,000 sq. ft. maximum, provided that such use has a floor area ratio (FAR) of at least 0.5, and does not exceed 50% of the C-1 or NMU district
Liquor store	1,500 sq. ft. maximum per use
Fuel sales with convenience store, gasoline service station, vehicle service and repair	Total site size of no greater than 20,000 square feet; and the cumulative total of all fuel sales, gasoline service station, and service/repair uses does not exceed two establishments

**2. C-2A District Location Requirements**

Establishment of the AC district or changes to existing AC district boundaries shall meet the general rezoning criteria of this Code and also shall meet the following requirements:

- a. The AC District shall not be expanded along street corridors or into surrounding neighborhoods unless consistent with an adopted plan.

1 C. **CBD-1: Central Business District, Core**<sup>4215</sup>

2 1. **Purpose**

3 The C-~~2~~ABD-1 district is intended to create a concentrated area of retail,  
4 financial, public, and institutional facilities in the core of downtown Anchorage  
5 in order to encourage the development of interrelated uses and functions,  
6 reduce pedestrian walking distance between activities, and ensure the  
7 development of pedestrian-oriented uses on the ground-floor level throughout  
8 the district. The district permits and encourages residential uses.

9 2. **District-Specific Standards**

10 a. **Restrictions on Ground-Floor Activities in CBD-1 District**<sup>16</sup>

11 Each of the following non-retail uses or establishments that are  
12 permitted, or permitted subject to a site plan review or conditional use  
13 review, shall in the C-~~2~~ABD-1 district be restricted to the second-floor  
14 level of a building or above, or to below-ground, unless the use is set-  
15 back on the ground floor from the street-facing building wall by 25 or  
16 more feet, in order to allow more pedestrian-oriented uses to line the  
17 street:

18 ~~i. Dwelling, mixed-use or multifamily;~~

19 ~~ii. Family self-sufficiency service;~~

20 ~~i. Education and research center;~~

21 ~~ii. Vocational or trade school;~~

22 ~~iii. Club/lobby or meeting hall;~~

23 ~~vi. Office, business or professional;~~

24 ~~vii. Broadcasting and recording facility;~~

25 ~~viii. Business service establishment;~~

26 ~~iv. Parking structure (see also Section 21.05.050.M.6., *Parking*~~  
27 ~~*Structure*); and~~

28 ~~v. Instructional Services.~~services.~~~~

29 b. **Bulk Regulations and Maximum Lot Coverage for CBD Districts**<sup>17</sup>

30 Construction of buildings in the CBD districts above three stories in  
31 height shall conform to the following bulk requirements:

32 ~~i. Building Tower Design~~

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<sup>12</sup> ~~NOTE: This and the following two districts carry forward the existing three downtown zoning districts. Some relatively modest revisions will be suggested to these districts in this project to address various concerns, including explicitly allowing and encouraging residential development downtown, and modifying the downtown bonus point system (to be done in Module 3). In addition, discussions are underway about possibly undertaking a more comprehensive revision to the downtown zoning as part of a separate project.~~

1 One tower not exceeding the bulk requirements listed in (A)  
2 and (B) below shall be allowed for a development on a parcel  
3 of land containing 13,000 square feet or a fraction thereof, or  
4 one tower not exceeding the bulk requirements listed in (C-  
5 2B) and (D) below shall be allowed for a development on a  
6 parcel of land containing 19,500 square feet. For a  
7 development on a parcel of land containing more than 19,500  
8 square feet, one additional tower not exceeding the bulk  
9 requirements listed in (A) and (B) below shall be allowed for  
10 every additional 13,000 square feet of land area, or,  
11 alternatively, one additional tower not exceeding the bulk  
12 requirements listed in (C) and (D) below shall be allowed for  
13 every additional 19,500 square feet of land area.

14 (A) Maximum plan dimension: 130 feet.

15 (B) Maximum diagonal plan dimension: 150 feet.

16 (C) Maximum plan dimension: 130 feet.

17 (D) Maximum diagonal plan dimension: 180 feet.

18 Variances from the specific bulk requirement dimensions  
19 listed in this subsection may be granted by the Planning and  
20 Zoning Commission on developments covering a land area of  
21 more than 26,000 square feet, provided that the Commission  
22 finds that the spirit and intent of the central business districts  
23 are maintained.

24 ii. Alternative Structure Designs

25 Alternative building designs may be submitted in the form of a  
26 project development plan to the Director for approval.  
27 Alternative design forms may be approved that provide for at  
28 least 15 percent more access either to scenic views of  
29 adjoining mountains and the Cook Inlet or for solar access<sup>18</sup>  
30 as compared to designs allowed under subsection i., above,  
31 Building Tower Design. The percentage amount of additional  
32 scenic or solar access shall be based on total building volume  
33 of the alternative design compared to a representative tower  
34 design. Alternative plans submitted under this subsection  
35 must include a schematic of a project designed under  
36 subsection i, Building Tower Design, plus a site development  
37 plan of the design utilizing the provisions of this subsection ii.  
38 and calculations to establish the increased scenic or solar  
39 access required in this subsection ii. Designs using the  
40 provisions of this paragraph are allowed an additional one  
41 story of base height prior to the use of the bonus point  
42 requirements of subsection c. below, Height Exceptions for  
43 CBD Districts.

44 iii. Existing Structures

45 Notwithstanding the bulk regulations and maximum lot  
46 coverage limitations contained in chapter 21.06, and the

requirements of this subsection b., where a lawful structure existed on September 9, 1974, that is pre-stressed for enlargement by the addition of one or more stories, such structure may be enlarged within the full plan dimensions of the existing structure by the addition of not more than two stories.

c. **Maximum Height of Structures in CBD Districts<sup>19</sup>**

- i. Notwithstanding subsections ii. and iii. below, the maximum height of a structure shall not exceed that permitted under section 21.04.070.C., Airport Height Overlay District.
- ii. Subject to subsection iii. below, no building or structure shall exceed the maximum building height specified in chapter 21.06.
- iii. Building floor area may be constructed above the maximum building height specified in chapter 21.06 by earning bonus points for site and design amenities under a site development plan approved by the Department as specified in Table 21.04-3., provided:
  - (A) Each bonus point permits an additional 400 square feet of floorspace.
  - (B) All new development must accumulate a minimum of one bonus point for each 1,600 square feet of site area to be approved. Only urban design amenities related to pedestrians and landscaping of those features designated "streetscape" in Table 21.04-3 may be used to fulfill this requirement.
  - (C) No more than one bonus point per each 200 square feet of site can be accumulated for any single amenity option. Bonus points can be obtained by combining any of the options provided in Table 21.04-3.
  - (D) At least 25 percent of all bonus points required for floorspace must be accumulated from amenities designated "streetscape." This amount can include bonus points earned under subsection (B) above.

**TABLE 21.04-3:  
 DESIGN AMENITIES AND BONUS POINTS FOR CBD DISTRICTS**

<b><u>Urban Design Amenity (*Streetscape Amenity)</u></b>	<b><u>Bonus Points for Districts</u></b>		
	<b><u>CBD-1</u></b>	<b><u>CBD-2</u></b>	<b><u>CBD-3</u></b>
<b><u>Street trees*</u></b>	<b><u>1 point per tree</u></b>	<b><u>1 point per tree</u></b>	<b><u>1 point per tree</u></b>
<b><u>Seating units, street furniture*</u></b>	<b><u>1 point per 2 units (maximum of 6 points)</u></b>	<b><u>1 point per 2 units (maximum of 6 points each)</u></b>	<b><u>1 point per 2 units (maximum of 6 points each)</u></b>

**TABLE 21.04-3:  
 DESIGN AMENITIES AND BONUS POINTS FOR CBD DISTRICTS**

<u>Urban Design Amenity</u> <u>(*Streetscape Amenity)</u>	<u>Bonus Points for Districts</u>		
	<u>CBD-1</u>	<u>CBD-2</u>	<u>CBD-3</u>
<u>Decorative street illumination*</u>	<u>2 points per 1 unit</u>	<u>2 points per 1 unit</u>	<u>2 points per 1 unit</u>
<u>Sidewalks*</u>	<u>1 point per 300 sq. ft.</u>	<u>1 point per 300 sq. ft.</u>	<u>1 point per 400 sq. ft.</u>
<u>Sidewalk texture*</u>	<u>1 point per 200 sq. ft.</u>	<u>1 point per 250 sq. ft.</u>	<u>1 point per 300 sq. ft.</u>
<u>Bike racks, open*</u>	<u>1 point per 3 open storage units (maximum accumulation of 3 points)</u>	<u>1 point per 3 open storage units (maximum accumulation of 3 points)</u>	<u>1 point per 3 open storage units (maximum accumulation of 3 points)</u>
<u>Bike racks, covered*</u>	<u>1 point per covered storage unit (maximum accumulation of 3 points)</u>	<u>1 point per covered storage unit (maximum accumulation of 3 points)</u>	<u>1 point per covered storage unit (maximum accumulation of 3 points)</u>
<u>Kiosk*</u>	<u>1 point per unit (maximum accumulation of 3 points)</u>	<u>1 point per unit (maximum accumulation of 3 points)</u>	<u>1 point per unit (maximum accumulation of 3 points)</u>
<u>Canopy over sidewalk*</u>	<u>1 point per 200 sq. ft.</u>	<u>1 point per 240 sq. ft.</u>	<u>1 point per 290 sq. ft.</u>
<u>Covered arcade*</u>	<u>1 point per 100 sq. ft.</u>	<u>1 point per 115 sq. ft.</u>	<u>1 point per 180 sq. ft.</u>
<u>Open air plaza, or landscaped park*</u>	<u>1 point per 70 sq. ft. (corner); 1 point per 80 sq. ft. (other)</u>	<u>1 point per 70 sq. ft. (corner); 1 point per 80 sq. ft. (other)</u>	<u>1 point per 100 sq. ft. (corner); 1 point per 115 sq. ft. (other)</u>
<u>Public restrooms at ground level</u>	<u>1 point per 35 sq. ft.</u>	<u>1 point per 35 sq. ft.</u>	<u>1 point per 100 sq. ft.</u>
<u>Climate-controlled public plaza or court (galleria)*</u>	<u>1 point per 50 sq. ft.</u>	<u>1 point per 70 sq. ft.</u>	<u>1 point per 100 sq. ft.</u>
<u>Shops (50 percent or more transparent windows on ground floor street front*)</u>	<u>1 point per 100 sq. ft.</u>	<u>1 point per 130 sq. ft.</u>	<u>1 point per 200 sq. ft.</u>
<u>Shops (Less than 50 percent transparent windows on ground floor street front)</u>	<u>1 point per 140 sq. ft.</u>	<u>1 point per 225 sq. ft.</u>	<u>1 point per 160 sq. ft.</u>
<u>Shops (Second floor shops)</u>	<u>1 point per 140 sq. ft.</u>	<u>1 point per 225 sq. ft.</u>	<u>1 point per 160 sq. ft.</u>
<u>Shops (Third floor or basement level)</u>	<u>1 point per 350 sq. ft.</u>	<u>N/A</u>	<u>N/A</u>
<u>Commercial theater</u>	<u>1 point per 200 sq. ft.</u>	<u>N/A</u>	<u>N/A</u>
<u>Public rooftop recreation area or public viewing deck</u>	<u>1 point per 100 sq. ft.</u>	<u>1 point per 100 sq. ft.</u>	<u>1 point per 200 sq. ft.</u>
<u>Housing</u>	<u>1 point per 140 sq. ft. of area devoted to housing</u>	<u>1 point per 80 sq. ft. of area devoted to housing</u>	<u>1 point per 80 sq. ft. of area devoted to housing</u>

**TABLE 21.04-3:  
 DESIGN AMENITIES AND BONUS POINTS FOR CBD DISTRICTS**

<u>Urban Design Amenity (*Streetscape Amenity)</u>	<u>Bonus Points for Districts</u>		
	<u>CBD-1</u>	<u>CBD-2</u>	<u>CBD-3</u>
<u>Hotels</u>	<u>1 point per 200 sq. ft. of area devoted to hotel rooms</u>	<u>1 point per 200 sq. ft. of area devoted to hotel rooms</u>	<u>1 point per 300 sq. ft. of area devoted to hotel rooms</u>
<u>Enclosed parking</u>	<u>N/A</u>	<u>11 points per space above or on grade; 13 points per space below grade</u>	<u>10 points per space above or on grade; 14 points per space below grade</u>
<u>Transit amenities</u>	<u>3 points per covered shelter; 10 points per bus pull-out</u>	<u>3 points per covered shelter; 10 points per bus pull-out</u>	<u>3 points per covered shelter; 10 points per bus pull-out</u>
<u>Historic preservation</u>	<u>1 point per 200 sq. ft. of area devoted to a retained historic structure</u>	<u>1 point per 200 sq. ft.</u>	<u>1 point per 200 sq. ft.</u>
<u>Sidewalk landscaping* (not otherwise credited)</u>	<u>1 point per 425 sq. ft. (public land); 1 point per 30 sq. ft. (private land)</u>	<u>1 point per 425 sq. ft. (public land); 1 point per 30 sq. ft. (private land)</u>	<u>1 point per 425 sq. ft. (public land); 1 point per 30 sq. ft. (private land)</u>
<u>Skywalks<sup>20</sup></u>	<u>10 points per skywalk</u>	<u>10 points per skywalk</u>	<u>10 points per skywalk</u>
<u>Day care, 24-hour child care facilities</u>	<u>1 point per 200 sq. ft.</u>	<u>1 point per 200 sq. ft.</u>	<u>1 point per 200 sq. ft.</u>

iv. Amenities for which bonus points have been granted must be maintained after construction of a project; provided, however, that amenities can be eliminated and others substituted on a point-for-point basis upon the approval of Department staff.

v. Maximum height near Town Square Park is as follows:

(A) The maximum height of structures in Blocks 69 through 71, Anchorage Original Townsite, shall not exceed the following:

- (1) Block 69
  - Northwest quarter: 115 feet.
  - Northeast quarter: 85 feet.
  - South half: 200 feet.
- (2) Block 70
  - North half: 55 feet.
  - South half: 230 feet.
- (3) Block 71
  - Northwest quarter: 85 feet.
  - Northeast quarter: 115 feet.
  - South half: 200 feet.

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1 (B) The Director may waive this height limit for a  
2 structure that will not cast a shadow greater than that  
3 cast by existing structures on the Town Square Park  
4 on Block 51, Anchorage Original Townsite, from April  
5 21 to August 21 between the hours of 9:00 a.m. and  
6 3:00 p.m., solar time.

7 (C) Subject to the maximum height requirements of the  
8 Airport Height Overlay District, at the request of the  
9 owner of a lot in Blocks 69 through 71, Anchorage  
10 Original Townsite, the right to construct the amount of  
11 building square footage permitted on that lot under  
12 subsections i. through iii. above, less the amount  
13 allowed under this subsection v., may be added to  
14 the amount allowed under this title on one or more  
15 lots not in those blocks located in the CBD-1, CBD-2,  
16 or CBD-3 district. The extent of additional footage  
17 available under this provision shall be calculated by  
18 the Director, and a letter stating the transfer shall be  
19 recorded against the property.<sup>21</sup>

20 vi. Structures in excess of three stories shall be allowed  
21 additional buildable area for that portion of the required  
22 sidewalk within private property between the structure  
23 setback line determined by section 21.06.020.A.7., *Setbacks*  
24 *from Projected Rights-of-Way*, and a sidewalk width of 11.5  
25 feet. This additional area shall be calculated by multiplying  
26 the lineal feet of sidewalk affected by this subsection by 33  
27 feet. This additional area can be included as part of the  
28 maximum building height allowed in the Airport Height  
29 Overlay District.

30 D. **CBD-2: Central Business District, Intermediate**

31 1. **Purpose**

32 The C-~~2~~**BBD-2** district is intended to create financial, office, and hotel areas  
33 surrounding the predominately retail, public, and institutional core of the  
34 central business district. The district permits and encourages high-density  
35 residential uses.

36 2. **District-Specific Standards**

37 Development in the CBD-2 District shall comply with the requirements set  
38 forth in subsection C-~~2~~**C.2.b.** above, *Bulk Regulations and Maximum Lot*  
39 *Coverage for CBD Districts*, and C.2.c. above, *Maximum Height of Structures*  
40 *in CBD Districts.*

41 E. **CBD-3: Central Business District, Periphery**

42 1. **Purpose**

43 The C-~~2~~**CBD-3** district is intended to create financial, office, and hotel areas at  
44 the periphery of the central business district. The district also permits  
45 secondary retail uses. The height limitations in this district are intended to  
46 help preserve views and to conform structures to the geologic characteristics

of the western and northern boundaries of the district. The district permits and encourages residential uses.

**F. ~~GC: General Commercial District~~<sup>13</sup>**

**1. ~~Purpose~~**

~~The GC district is intended primarily for uses that provide commercial goods and services to residents of the community in areas that are dependent on automobile access and exposed to heavy automobile traffic. These commercial uses are subject to the public view and they should provide an appropriate appearance, sufficient parking, controlled traffic movement, and suitable landscaping, and environmental impacts should be minimized. Abutting residential areas should be protected from potentially negative impacts associated with commercial activity. While General Commercial District areas shall continue to meet the need for auto-related and other auto-oriented uses, it is the Municipality's intent that the General Commercial District shall provide for safe and convenient personal mobility in other forms, with planning and design that accommodates pedestrians.~~

**2. ~~This district is not intended for higher density office developments, which are intended to be located in the community and regional mixed-use areas. The extension of GC district commercial uses along arterials shall be discouraged unless consistent with an adopted plan.~~  
District-Specific Standards**

~~Development in the CBD-3 District shall comply with the requirements set forth in subsection C.2.b. above, *Bulk Regulations and Maximum Lot Coverage for CBD Districts*, and C.2.c. above, *Maximum Height of Structures in CBD Districts*.~~

**F. ~~MC: Marine Commercial District~~<sup>14,22</sup>**

**1. ~~Purpose~~**

The MC district is intended primarily for water-dependent and water-related commercial uses. Emphasis is on development flexibility for water-dependent and water-related commercial uses and on public access to the waterfront and Ship Creek.

**2. ~~District-Specific Standards~~<sup>15</sup>**

~~a. Offices in the MC district shall be marine or fishing related.~~

~~b. An alternatives analysis shall be submitted as part of the conditional use application that shows conformance to the water dependency or water related definitions. The analysis shall demonstrate the necessity of siting this use in the MC district.~~

<sup>13</sup> NOTE: This district is based loosely on the existing B-3 district. However, as discussed in the Diagnosis and Annotated Outline, the Title 21 rewrite project will attempt to rein in the B-3 by creating a new set of mixed use districts that are more suitable for higher density commercial development. New commercial design standards (to be proposed in Module 3) will help mitigate the visual impacts of commercial development in this district on surrounding neighborhoods. A new height limit also will help limit large scale commercial development. In addition, as part of a comprehensive remapping that may occur following adoption of the new Title 21, the existing B-3 zoning should be restricted in its application.

<sup>14</sup> NOTE: This is the existing MC district.

<sup>15</sup> NOTE: Based on the existing 21.60.200 "Conditional use standards - Marine commercial and marine industrial facilities."

- a. Food and beverage establishments shall provide direct visual or physical public access to the waterfront.
- b. Buildings shall include special design considerations that enhance the relationship between the shoreline and the proposed site development.

**21.04.040 INDUSTRIAL DISTRICTS**

**G. General O: Office District<sup>23</sup>**

**1. Purpose/Intent**

~~The industrial zoning districts contained in this Section generally are Office district is intended to:~~

~~2. Create suitable environments for various types of industrial uses;~~

~~3. Reserve appropriately located and strategic industrial provide areas for industrial purposes, and limit non-industrial uses that may erode the supply of industrial lands;~~

~~Provide adequate space to meet the needs of industrial, professional, business, and medical service (outpatient) office uses, along with a limited amount of compatible multi-family residential development, including off-street parking and loading; The district provides for small- to medium-sized office buildings, often in transition locations between residential areas and more intense commercial uses and road traffic, or in commercial locations inappropriate for auto-oriented retail uses or intense mixed-uses.~~

~~4. Strengthen and diversify the Municipality's economic industrial base and provide employment opportunities close to home for residents of the Municipality and surrounding communities;~~

~~5. Minimize and mitigate traffic conflicts and avoid the overloading of utilities and other public infrastructure and services;~~

~~6. Minimize any negative impact of industrial development on abutting non-industrial districts;~~

~~7. Minimize any negative environmental impact of industrial development impacts on sensitive natural areas such as stream corridors, wetlands, and other important natural resources; and~~

~~8. Ensure that the appearance and effects of industrial buildings and uses are of high quality and are harmonious with the character of the area in which they are located.~~

**B.I-1: Light Industrial District<sup>16</sup>**

**2. District-Specific Standards**

**a. Limitations on Retail Uses**

Any uses categorized by this Code as “retail (sales),” “retail (personal services),” or “food and beverage service” may be located in the Office district only within a building that also contains office and/or residential uses. Such retail uses shall be limited to 30 percent of the gross floor area of the building. No outdoor storage or merchandise display is allowed.

**b. Limitations on Visitor Accommodations**

Any uses categorized by this Code as “visitor accommodation” shall comply with the multi-family residential design standards set forth in section 21.07.100.F. and G.

**c. Minimum Residential Density**

Any multiple-family residential uses in the Office district shall have a minimum density of at least 18 units/acre, when such uses are the primary use on a lot.

**3. District Location Requirements**

In addition to the general rezoning approval criteria, the following requirements shall apply to the creation or expansion of the Office district:

**a.** New Office zones shall be located in areas optimal for low-intensity office use, or in locations that can buffer low-density residential neighborhoods from heavy volumes of traffic or more intense commercial retail activity.

**b.** The Office district shall not be located in or expand into residential areas that are designated by adopted plan for minimum housing density or that are intended to retain historically predominant residential use or single-family character.

**21.04.040 MIXED-USE DISTRICTS<sup>24</sup>**

**A. General Purpose/Intent**

The mixed-use districts are intended to provide for and encourage development and redevelopment that contains a mix of residential and nonresidential uses within close proximity, rather than a separation of uses, in accordance with the Comprehensive Plan. The mixed-use districts define the uses of land and the siting and character of the improvements and structures allowed on the land in a manner that allows a balanced mix of uses. A key feature of all the mixed-use districts is a pedestrian-friendly network of streets and sidewalks connecting the nonresidential uses, residential neighborhoods, and transit facilities. The mixed-use districts specifically are intended to:

<sup>16</sup> ~~NOTE: This district is based on the existing I-1 district. Based on extensive feedback from the community suggesting that this district is being used too often for commercial development, we removed the reference allowing commercial uses that support industrial uses. The use table in 21.05 contains a narrower list of commercial uses allowed in this district.~~

- 1 1. Concentrate higher-density residential development and commercial and  
2 office employment efficiently in and around major employment centers, town  
3 centers, and other designated centers of community activity;
- 4 2. Encourage mixed-use and higher-density redevelopment, conversion, and  
5 reuse of aging and underutilized areas, and increase the efficient use of  
6 available commercial land in the Municipality;
- 7 3. Contain a transportation system network designed to ensure that residential  
8 areas will have direct access to adjacent non-residential portions of the  
9 proposed development/redevelopment, in lieu of entering and exiting through  
10 thoroughfares and/or collector streets;
- 11 4. Create compact and pedestrian-oriented environments that encourage transit  
12 use and pedestrian access;
- 13 5. Concentrate a variety of commercial retail/services and public facilities that  
14 serve the surrounding community;
- 15 6. Ensure that the appearance and function of development in mixed-use areas  
16 is well-integrated with surrounding neighborhoods;
- 17 7. Ensure that development in mixed-use areas is of high quality and provides  
18 pedestrian scale and interest through use of varied forms, materials, details,  
19 and colors, especially at the ground-floor and lower levels;
- 20 8. Provide for phased development of the project area so as to promote long  
21 term quality;
- 22 9. Provide adequate light, air, privacy, and open space for each residential  
23 dwelling, and protect residents from the harmful effects of excessive noise,  
24 glare and light pollution, traffic congestion, and other significant adverse  
25 environmental effects; and
- 26 10. Minimize negative impacts of development on stream corridors, wetlands, and  
27 other important natural resources.

28 **B. RMX: Residential Mixed-Use District**

29 1. **Purpose**

30 ~~The I-1 district is intended primarily for urban and suburban light~~  
31 ~~manufacturing, processing, storage, wholesale, and distribution operations.~~

32 **C.I-2: Heavy Industrial District<sup>47</sup>**

33 The RMX district is intended to facilitate the development of higher-density  
34 residential development surrounding the CCMU, RCMU, and MMU districts.  
35 The RMX area contains primarily medium- to higher-density residential  
36 development, though it also may contain some limited small-scale  
37 commercial, institutional, recreational, and service facilities needed to support

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<sup>47</sup> ~~NOTE: This district is based on the existing I-2 district. Just as was done with the I-1 district, the reference that allowed "uses generally permitted in commercial districts" was deleted.~~

residential development. Development in the RMX district should facilitate and encourage pedestrian travel between residential and nonresidential uses. This residential district is often adjacent and incidental to a mixed-use core of a town center, neighborhood commercial center, or other type of mixed-use or major employment center designated in the Comprehensive Plan.

2. **District-Specific Standards**

a. **Mixed-Use Development Standards**

Development in the RMX district shall comply with section 21.04.050.H., *Mixed-Use District Development Standards*.

b. **Neighborhood Scale and Intensity of Uses and Activities**

Non-residential uses in the RMX district shall comply with the following gross floor area restrictions:

<b>TABLE 21.04-4: GROSS FLOOR AREA LIMITATIONS IN THE RMX DISTRICT</b>	
<u>Use</u>	<u>Gross Floor Area Limit<sup>29</sup></u>
- Convenience store - General retail	3,000 sq. ft. maximum
- Financial institution	3,000 sq. ft maximum, provided that the majority area of such use provides retail services
- Animal grooming service or pet shop - Restaurant	2,500 sq. ft. maximum per use
- Offices - Retail (personal service)	1,500 sq. ft. maximum per use
- Extended-stay lodgings or inn - Grocery or food store	5,000 sq. ft. maximum

3. **District Location Requirement**

The subject property shall be in an area designated for medium or high intensity residential use, and adjacent to a designated community commercial mixed-use center, regional commercial center, or Downtown/Midtown major employment center, on the Land Use Plan Map or an adopted district or neighborhood plan.

C. **NMU-1: Small-Scale Neighborhood Mixed-Use District<sup>26</sup>**

1. **Purpose**

~~The I-2 district is intended primarily for heavy manufacturing, storage, major shipping terminals, and other related uses.~~

~~D.MI: Marine Industrial District<sup>18</sup>~~

~~1. Purpose~~

~~The MI district is intended primarily for a mix of marine commercial and industrial manufacturing, processing, storage, wholesale, and distribution operations that are water dependent and/or water related.~~

<sup>18</sup> NOTE: This is the existing MI district.

1                   The NMU-1 district is intended for small, compact commercial centers within  
2                   or surrounded by residential areas, compatible in scale and character with  
3                   surrounding residential uses, to serve the convenience needs of the  
4                   immediately surrounding neighborhood. NMU-1 centers are between one-half  
5                   and four acres in size. Small-scale offices, retail, and upper-story residential  
6                   uses are allowed. Continuous retail frontages, largely uninterrupted by  
7                   driveways and parking, are encouraged. Gross floor area limitations help  
8                   ensure that businesses are consistent with the scale of the surrounding area.

9                   **2. District-Specific Standards<sup>19</sup>**

- 10                   ~~a. An alternatives analysis shall be submitted as part of the conditional~~  
11                   ~~use application that shows conformance to the water dependency or~~  
12                   ~~water-related definitions. The analysis must demonstrate the~~  
13                   ~~necessity of siting this use in the MI district.~~
- 14                   ~~b. Food and beverage establishments shall provide direct visual or~~  
15                   ~~physical public access to the waterfront.~~
- 16                   ~~c. Buildings shall include special design considerations that enhance the~~  
17                   ~~relationship between the shoreline and the proposed site~~  
18                   ~~development.~~

19                   **21.04.050 MIXED-USE DISTRICTS<sup>20</sup>**

- 20                   a.           **Mixed-Use Development Standards**  
21                   Development in the NMU-1 district shall comply with section  
22                   21.04.050.H., Mixed-Use District Development Standards.
- 23                   b.           **Ground-Floor**  
24                   The ground-floor level of all buildings in the NMU-1 district shall be  
25                   limited to retail uses, with the exception of small lobbies to allow  
26                   access to residential and office uses on upper floors.
- 27                   c.           **Drive-Throughs Prohibited**  
28                   No drive-throughs shall be allowed in the NMU-1 district.

<sup>19</sup> NOTE: Based on the existing 21.50.200 "Conditional use standards—Marine commercial and marine industrial facilities."

<sup>20</sup> NOTE: It will be important to create a level playing field so that the mixed-use districts are a viable development option compared to the other districts. We should not create any procedures, use lists, or development standards that are so restrictive that they discourage development in the mixed-use districts. To that end, this draft suggests that the majority of the uses in the mixed-use district be approved through site plan review. As part of Module 3, we will suggest development standards for the mixed-use districts. We may also suggest a new procedure for approval of a "Mixed Use Concept Plan" for larger sites, to help ensure that new development meets the goals of the district.

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- d. **Gross Floor Area Limitations**  
The uses listed in the table below shall be allowed in the NMU-1 district subject to the listed gross floor area restrictions. Individual businesses not specified in the table below but allowed in the NMU-1 District pursuant to the use tables in chapter 21.05 shall be permitted to occupy up to a maximum of 10,000 square feet of gross floor area on development sites that have a floor area ratio (FAR) of at least 0.65, or a maximum of 5,000 square feet of gross floor area on sites that have a FAR of less than 0.65.

<b>TABLE 21.04-5: GROSS FLOOR AREA LIMITATIONS IN THE NMU-1 DISTRICT</b>	
<b>Use</b>	<b>Gross Floor Area Limit<sup>27</sup></b>
- Convenience store - General retail	3,000 sq. ft. maximum, provided that such establishment has a floor area ratio (FAR) of at least 0.5, and does not exceed 35% of the NMU district
- Financial institution	3,000 sq. ft maximum, provided that the majority floor area of such establishment provides retail services.
- Animal grooming service - Governmental office - Office, business or professional - Pet shop - Restaurant - Retail (personal services)	1,500 sq. ft. maximum per establishment
-Farmers market	10,000 sq. ft. maximum if indoors; total development site size of no greater than 20,000 square feet.
-Grocery or food store	20,000 sq. ft. maximum, provided that such establishment has a floor area ratio (FAR) of at least 0.5, and does not exceed 50% of the NMU district

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3. **District Location Requirements**  
In addition to the general rezoning criteria, the following requirements shall apply in the creation or expansion of the NMU-1 district:
- a. New NMU-1 districts larger than 1.5 acres shall be located on an arterial or collector street, and existing NMU-1 districts shall not be enlarged unless the site abuts an arterial or collector street.
- b. No NMU-1 district shall be larger than four acres.
- c. The subject property shall be in an area intended primarily for neighborhood-scale commercial mixed-use center on the Land Use Plan Map or an adopted district or neighborhood plan.

21 **D. NMU-2: Neighborhood Mixed-Use District<sup>28</sup>**

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1. **Purpose**  
The NMU-2 district is intended for neighborhood retail service centers at a larger scale than allowed by the NMU-1 district. NMU-2 centers are generally between four and 30 acres in size. The NMU-2 district should contain primarily commercial uses that serve the daily needs of nearby neighborhoods (e.g., small grocery/convenience store, drug store, religious assembly, service station) located in close proximity to one another. Multi-family residential and limited office uses also are allowed. Siting and

1 architectural design and scale of structures in this district should be  
2 compatible with surrounding neighborhoods. The NMU-2 district may be used  
3 for commercial retail segments of linear transit-supportive development  
4 corridors, in addition to nodal centers. The NMU-2 district may be used for  
5 the “neighborhood commercial centers” identified in the *Anchorage 2020*  
6 *Anchorage Bowl Comprehensive Plan*.

7 **2. District-Specific Standards**

8 a. **Mixed-Use Development Standards**

9 Development in the NMU-2 district shall comply with section  
10 21.04.050.H., *Mixed-Use District Development Standards*.

11 b. **District Location Requirements**

12 In addition to meeting the general rezoning criteria, the following  
13 requirements apply in the establishment or enlargement of NMU-2  
14 districts:

15 i. New NMU-2 areas and NMU-2 districts proposed for  
16 expansion shall be located within one to two miles of a  
17 residential population of at least 10,000 people, and at the  
18 intersection of two arterials or an arterial and a collector  
19 street.

20 ii. The NMU-2 district shall not be extended along street  
21 corridors or into adjacent residentially zoned areas unless  
22 consistent with an adopted plan.

23 iii. The subject property shall be in an area intended for  
24 neighborhood scale commercial mixed-use center, or transit-  
25 oriented development corridor on the Land Use Plan Map or  
26 an adopted district or neighborhood plan.

27 **E. CCMU: Community Commercial Mixed-Use District<sup>29</sup>**

28 **1. Purpose**

29 ~~The mixed-use districts are established to provide for and encourage development~~  
30 ~~and redevelopment that contains a compatible mix of residential, business, and~~  
31 ~~institutional uses within close proximity to each other, rather than a separation of~~  
32 ~~uses, in accordance with the Comprehensive Plan. The mixed-use districts define the~~  
33 ~~uses of land and the siting and character of the improvements and structures allowed~~  
34 ~~on the land in a manner that allows a balanced mix of uses. A key feature of all the~~  
35 ~~mixed-use districts is an efficient pedestrian access network connecting the~~  
36 ~~nonresidential uses, residential neighborhoods, and transit facilities. New buildings~~  
37 ~~should be oriented to the street with parking located in parking structures or to the~~  
38 ~~side or behind the buildings. The districts are intended to recognize areas where~~  
39 ~~redevelopment of underutilized parcels and infill development of vacant parcels~~  
40 ~~should concentrate on pedestrian-oriented residential and mixed-use development.~~  
41 ~~The mixed-use districts specifically are intended to:~~

42 ~~2. Promote higher-density residential development near and within designated~~  
43 ~~neighborhood and town centers, redevelopment/mixed-use areas, major~~  
44 ~~employment centers and other areas as appropriate;~~

- ~~3. Concentrate higher density commercial and office employment growth efficiently in and around major employment centers, town centers, and other designated centers of community activity;~~
- ~~4. Encourage mixed use and higher density redevelopment, conversion, and reuse of aging and underutilized areas, and increase the efficient use of available commercial land in the Municipality;~~
- ~~5. Create compact and pedestrian-oriented urban environments that encourage transit use and pedestrian access;~~
- ~~6. Concentrate a variety of commercial retail /services and public facilities that serve the surrounding community; and~~
- ~~7. Ensure that the appearance and function of residential, commercial, and institutional uses are of high quality and are integrated with one another and the character of the area in which they are located.~~

~~**B. Types of Mixed-Use Districts**~~

~~The following mixed use districts are established:~~

~~**1. NMU: Neighborhood Mixed-Use District**~~

~~The NMU district is intended to facilitate the development of a mixed-use center at the neighborhood scale. The NMU should contain facilities vital to the day-to-day activity of a neighborhood (e.g., small grocery/convenience store, drug store, church, service station) located in close proximity to one another. The district is characterized by small scale, attractive, non-obtrusive, and convenient shopping and services for residential areas. Site and architectural design of uses in this district should be compatible with surrounding neighborhoods and designed with a goal of reducing vehicle trips. The NMU should facilitate and encourage pedestrian travel between the residential and nonresidential uses. The NMU district may be used for the "neighborhood commercial centers" identified in the *Anchorage 2020 Anchorage Bowl Comprehensive Plan*.~~

~~**2. CCMU: Community Commercial Mixed-Use District**~~

~~The CCMU district is intended to facilitate the development of a mixed-use center at the community scale. Communities are generally made up of three to five neighborhoods. They are intended to be generally about one-half to one mile in diameter and located approximately 2-4 miles apart. The CCMU area contains commercial, institutional, recreational, and service facilities needed to support the surrounding neighborhoods (e.g., large supermarket, large drug store, specialty shops, and community park). Around the core, the RMX district should contain high density housing, and development in both districts should facilitate and encourage pedestrian travel between residential and nonresidential uses. The CCMU district may be used for the "town centers" and the "redevelopment/mixed-use areas" identified in the *Anchorage 2020 Anchorage Bowl Comprehensive Plan*.~~

~~The CCMU district is intended to facilitate the development of a mixed-use center at the community scale. Communities are generally made up of three to five neighborhoods. Community centers are intended to be generally one-~~

1 quarter to one-half mile in diameter and located approximately two to four  
2 miles apart. The CCMU area is intended to include commercial, institutional,  
3 recreational, and service facilities needed to support the surrounding  
4 neighborhoods (e.g., large supermarket, large drug store, specialty shops,  
5 and community park). Medium- to higher-density housing should be located  
6 around the district, and development should facilitate pedestrian connections  
7 between residential and nonresidential uses. The CCMU district may be used  
8 for commercial retail segments of linear transit-supportive development  
9 corridors, in addition to nodal centers. The CCMU district may be used for the  
10 "town centers" and the "redevelopment/mixed-use areas" identified in the  
11 *Anchorage 2020 Anchorage Bowl Comprehensive Plan*.

12 2. **District-Specific Standards**

13 Development in the CCMU district shall comply with section 21.04.050.H.,  
14 *Mixed-Use District Development Standards*.

15 3. **District Location Requirement**

16 The subject property shall be in an area intended for community-scale  
17 commercial mixed-use center or transit-oriented development corridor on the  
18 Land Use Plan Map or an adopted district or neighborhood plan.

19 F. **RCMU: Regional Commercial Mixed-Use District<sup>30</sup>**

20 ~~The RCMU district is intended is intended to facilitate the development of a~~  
21 ~~mixed-use center at the regional scale. A region is a collection of adjacent~~  
22 ~~communities. This district is intended to encourage the development of large-~~  
23 ~~scale, distinctive, attractive regional centers containing a mix of concentrated~~  
24 ~~land uses. The center should contain major economic generators, most with~~  
25 ~~a regional economic draw, such as a regional shopping mall, major employer,~~  
26 ~~a large high school or community college, restaurants, theaters, hotels, and~~  
27 ~~relatively dense office development. The area should contain concentrations~~  
28 ~~of medium to high density office development, with employment densities of~~  
29 ~~more than 50 employees per acre. The area also should contain a broad mix~~  
30 ~~of complementary uses, such as major civic and public facilities, and parks.~~  
31 ~~The district should be surrounded by high density housing located in the RMX~~  
32 ~~district, and development in both districts should facilitate and encourage~~  
33 ~~pedestrian travel between residential and nonresidential uses. Transit~~  
34 ~~facilities and pedestrian friendly elements are important components of~~  
35 ~~development in this type of center, in order to reduce demand for auto travel~~  
36 ~~as well as increase visual interest. The RCMU district may be used for the~~  
37 ~~"major employment centers" identified in the *Anchorage 2020 Anchorage*~~  
38 ~~*Bowl Comprehensive Plan*.~~

39 ~~1. **RMX: Residential Mixed-Use District**~~

40 ~~The RMX district is intended to facilitate the development of higher density~~  
41 ~~residential development surrounding both the CCMU and the RCMU districts.~~  
42 ~~The RMX area contains primarily medium to higher density residential~~  
43 ~~development, though it also may contain some limited small-scale~~  
44 ~~commercial, institutional, recreational, and service facilities needed to support~~  
45 ~~residential development in the surrounding area. Development in the RMX~~  
46 ~~district should facilitate and encourage pedestrian travel between residential~~  
47 ~~and nonresidential uses. This residential district is often adjacent and~~  
48 ~~incidental to a mixed-use core of a town center, neighborhood commercial~~

center, or other type of mixed-use or major employment center designated in the Comprehensive Plan.

**D. Criteria For Rezoning Property to Mixed-Use District**

{Reserved}<sup>24</sup>

**E. Mix of Principal Uses Required**

**1. Use Categories**

Each principal use allowed in any of the mixed-use districts, as listed in Section 21.05, "Table of Permitted Uses," is grouped into one of the following four general use categories:

a. Residential Uses;

b. Public/Institutional Uses;

c. Commercial/Office Uses; and

d. Commercial/Other (All commercial use that are not listed under the office category).

**2. Required Mix and Proportion of Land Uses<sup>22</sup>**

A mix of land uses shall be required on any development or redevelopment project in any of the mixed-use districts that is one acre in gross land area or larger.

a. The development/redevelopment shall include at least two of the four use categories listed in subsection D.1. of this Section.

b. No one use category listed in subsection D.1. shall comprise more than fifty percent of the net land area of the development/redevelopment. "Net land area" for purposes of this provision means gross land area less dedicated public rights-of-way.

**F. Development Standards for Mixed-Use Districts**

**1. Concept and Key Features**

Development in a mixed-use district shall:

a. Be consistent with the general description of the mixed-use district in which it is located as specified in subsection B. above.

<sup>24</sup>-NOTE: Further discussion needed. Where the mixed-use districts should or may be applied depends in part on how committed the community is to the Land Use Policy Map in Anchorage 2020. If that map is considered a solid, detailed source of guidance, then this section could simply state that a property has to be in an area designed for mixed-use on that map in order to qualify for rezoning to one of these districts. Another, more flexible option would be to allow rezonings to the mixed-use districts if the subject area is identified as mixed-use on that map OR the area meets the general descriptions of one of the mixed-use districts set forth in this code, regardless of how it is treated on the map. Once this issue is resolved, we should discuss placement of this information. Depending on the standards that are developed, this section might make sense either here, or in the rezoning section of Chapter 21.03.

<sup>22</sup>-NOTE: This section proposed for discussion purposes. Specific ratios may need to be adjusted for each mixed use district.

- ~~b. Contain a road network designed to ensure that residential areas will have direct access to adjacent non-residential portions of the proposed development/redevelopment, in lieu of entering and exiting through thoroughfares and/or collector streets; and~~
- ~~c. Provide an adequate and interconnected transportation system that encourages multiple modes of transportation, disperses traffic, and provides streets that accommodate multiple transportation modes, including motor vehicles, transit, bicycles, and pedestrians;~~
- ~~d. Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other and with transit;~~
- ~~e. Design early phases of development so as to promote long-term quality and character;~~
- ~~f. Include buildings that provide human scale and interest through use of varied forms, materials, details, and colors.~~
- ~~g. Encourage housing in a range of densities, sizes, and types; and~~
- ~~h. Be consistent with an approved district plan or neighborhood plan, if applicable.~~

~~2. District Specific Development Standards~~

~~In addition, all development in a mixed-use district shall comply with the special development and design standards set forth in [Section 21.07 \[x-ref\]](#).~~

~~21.04.060 OTHER DISTRICTS~~

~~A.AD: Airport Development District<sup>23</sup>~~

~~1. Purpose~~

~~The AD district is intended to include all lands and water areas under a governmental jurisdiction that operate as a governmentally regulated airport. The regulations and restrictions in the AD district are intended to provide for land uses that are unique to airport operations and foster aeronautics and safe flying operations.~~

~~B.AF: Antenna Farm District<sup>24</sup>~~

~~1. Purpose~~

~~The AF district is intended to create areas dedicated to the erection and maintenance of communication equipment at reasonable cost and to~~

<sup>23</sup>-NOTE: This draft Airport Development (AD) District is based on staff's December 1997 proposed ordinance, as well as comments on that ordinance from a January 5, 1998, meeting, and a December 1997 memo from Tom Nelson. It is anticipated that this AD district may undergo changes after the resolution of the jurisdictional issues between the airport and MOA. Nevertheless, as drafted, the draft district can provide a structure for further discussion. We have integrated the 1997 draft district into the appropriate places in this module. The intent statement is here, and most uses have been added to the use table in Chapter 21.05. Some uses from the 1997 draft ("Camper parks," "liquor stores," "cold storage and processing facilities for fish" and "incinerator facilities") were removed in accordance with suggestions made by the commentators. A use specific standard was also added to Chapter 21.05 for "General Airport."

<sup>24</sup>-NOTE: This is the existing AF district.

1 encourage the concentration of such equipment in a few sites throughout the  
2 Municipality.

3 ~~OL: Open Lands~~The RCMU district is intended to facilitate the development of  
4 a mixed-use center at the regional scale. A region is a collection of adjacent  
5 communities. The district should provide commercial, office, institutional,  
6 and residential uses and structures at higher intensities than surrounding  
7 areas. The area should contain concentrations of medium- to high-density  
8 office development, with employment densities of 50 employees per acre or  
9 more. The area also should contain a broad mix of complementary uses,  
10 which may include major civic and public facilities and parks. The district  
11 should contain or be surrounded by high-density housing, and development  
12 should facilitate and encourage pedestrian travel between residential and  
13 nonresidential uses.

- 14 2. **District-Specific Standards**  
15 Development in the RCMU district shall comply with section 21.04.050.H.,  
16 *Mixed-Use District<sup>25</sup> Development Standards.*
- 17 3. **District Location Requirement**  
18 The subject property shall be in an area intended for regional-scale  
19 commercial mixed-use center on the Land Use Plan Map or an adopted  
20 district or neighborhood plan.

21 G. **MMU: Midtown Mixed-Use District<sup>31</sup>**

- 22 1. **Purpose**  
23 The MMU district is intended to facilitate the development of a high-intensity  
24 mix of uses in the Midtown area, which is the area of the highest employment  
25 densities and tallest building heights outside of the downtown. The MMU  
26 district should provide commercial, office, institutional, and residential uses  
27 and structures at higher intensities than surrounding areas. The area should  
28 have employment densities of at least 50 employees per acre. The area also  
29 should contain a broad mix of complementary uses, which may include major  
30 civic and public facilities and parks. The district should contain or be  
31 surrounded by high-density housing, and development should facilitate and  
32 encourage pedestrian travel between residential and nonresidential uses.  
33 Transit and pedestrian facilities are important components of development in  
34 the district, in order to reduce demand for auto travel as well as increase  
35 visual interest.
- 36 2. **District-Specific Standards**  
37 Development in the MMU district shall comply with section 21.04.050.H.,  
38 *Mixed-Use District Development Standards.*
- 39 3. **District Location Requirement**  
40 The MMU district may only be applied in the Midtown area.

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<sup>25</sup> NOTE: This is a new district suggested by staff to function as a development reserve area.

1           H.       **Mixed-Use District Development Standards**<sup>32</sup>

2                   1.       **Applicability**

3                   All development in the RMX, NMU-1, NMU-2, CCMU, RCMU, and MMU  
4                   districts shall comply with the appropriate development standards in chapter  
5                   21.07, and also the standards in this subsection 21.04.050.H. When the  
6                   standards of this subsection and section 21.07.110 are in conflict, the  
7                   standards of this subsection shall control.

8                   2.       **FAR Incentives**

9                   In the NMU-1, NMU-2, and CCMU districts, the following incentives apply and  
10                   may be earned cumulatively:

11                           a.       **Incentive for Additional Residential Development**

12                           An additional 0.07 FAR may be obtained beyond the maximum  
13                           allowed by section 21.06.010.C. if the additional 0.07 FAR is  
14                           residential, and 50 percent or more of the gross floor area of the  
15                           development project is residential.

16                           b.       **Incentive for Additional Private Usable Open Space**

17                           An additional 0.02 FAR may be obtained beyond the maximum  
18                           allowed by section 21.06.010.C. if the additional 0.02 FAR is  
19                           residential, and the majority of residential dwellings in the  
20                           development project each have at least 72 square feet of private  
21                           usable open space.

22                   3.       **Mix and Intensity of Land Uses and Activities**

23                           a.       **Purpose**

24                           The purpose of this section is to help integrate public/institutional,  
25                           residential, and commercial activities around the same shared public  
26                           streets and spaces. All uses should be located and convenient to  
27                           each other by walking. People who work, shop, and live in the  
28                           different buildings share the same public sidewalks and spaces.

29                           b.       **Public Focus Areas**<sup>33</sup>

30                           Any mixed-use development that is one gross acre or larger shall  
31                           include a public focus area such as a public/institutional use, plaza,  
32                           public space, or town square. The purpose of such an area is to  
33                           encourage the presence of civic or institutional uses, such as a public  
34                           library; to promote mixed-use areas as centers of community activity;  
35                           and to attract greater pedestrian traffic and activity to mixed-use  
36                           areas.

37                   4.       **Reduced Parking Ratios**

38                   Development in the mixed-use districts shall only be required to provide 95%  
39                   of the off-street parking required in section 21.07.090, *Off-Street Parking and*  
40                   *Loading.*

41                   5.       **Building Placement and Orientation**

42                           a.       **Placement, Orientation, and Openness to the Sidewalk**

43                                   i.       **Purpose**

44                                   Building frontages should be built and oriented to the street,  
45                                   lining sidewalks and public spaces with frequent shops,

entrances, windows with interior views, and articulated ground-level façades. Comfortable, human-scale transition spaces such as entrance areas, patios, or café seating may be placed between the building and public sidewalk, as long as the building remains close, accessible, and inviting from the sidewalk.

- ii. *Building Placement and Street Setbacks*  
Buildings shall be built to or close to the public sidewalk, using the setbacks required in subsection 21.06.010.C., *Table of Dimensional Standards: Mixed Use and Other Districts*.
- iii. *Building Entrances*  
All buildings shall have at least one primary resident, public, or customer entrance oriented toward an abutting street that is not separated from the building by on-site parking. If the building is within a large development site and not located on the street, then the entrance shall orient toward an on-site pedestrian walkway connected to a public sidewalk.

6. **Pedestrian Amenities**<sup>34</sup>

a. **Pedestrian Amenities Required**

All new developments or redevelopments to existing buildings in the mixed-use districts shall provide pedestrian amenities, as specified in this subsection. Where a pedestrian amenity required by this section also satisfies the in-lieu option in section 21.07.030B.3, the amenity may count for both. The number of pedestrian amenities provided shall comply with the following sliding scale.

<u>Size of Development or Redevelopment (Building Square Footage)</u>	<u>Number of Amenities</u>
<u>Less than 5,000 sq. ft.</u>	<u>1</u>
<u>5,000 – 10,000 sq. ft.</u>	<u>2</u>
<u>10,000 – 50,000 sq. ft.</u>	<u>3</u>
<u>Greater than 50,000 sq. ft.</u>	<u>4</u>

b. **Acceptable Pedestrian Amenities**

Acceptable pedestrian amenities include, but are not limited to:

- i. Sidewalks that are at least 50 percent wider than required by this title, incorporating paving treatments, including but not limited to concrete masonry unit pavers, brick, or stone.
- ii. A public outdoor seating plaza adjacent to or visible and accessible from the street, with a minimum useable area of 300 square feet.
- iii. Sidewalk planters between sidewalk and building.

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- iv. Public art including but not limited to sculptures, fountains, clocks, or murals with a value equal to or greater than one percent of construction value of the structure.
  - v. Pocket parks with a minimum usable area of 300 square feet.
  - vi. Heated sidewalks.
- c. **Guidelines for the Siting, Construction, and Character of Pedestrian Amenities**
- i. Amenities shall be visible and accessible to the general public from a fully improved street. Access to pocket parks, plazas, and sidewalks shall be provided via a public right-of-way or a public access easement.
  - ii. The size or capacity of pedestrian amenities shall be roughly proportional to their expected use, including use by employees, customers, residents, and other visitors, as determined by the Director. The Director may alter minimum area standards for pocket parks and plazas based on this guideline.
  - iii. Amenities shall be consistent with the character and scale of surrounding developments. For example, similarity in awning height, bench style, planter materials, street trees, and pavers is recommended to foster continuity in the design of pedestrian areas. Materials shall be suitable for outdoor use in a northern climate, easily maintained, and have at least a 10-year expected service life.

**21.04.050 INDUSTRIAL DISTRICTS**

**A. General Purpose/Intent**

The industrial zoning districts established in this section generally are intended to:

- 1. Create suitable environments for various types of industrial uses;
- 2. Reserve appropriately located areas for industrial purposes, and limit non-industrial uses that may erode the supply of industrial lands;
- 3. Provide adequate space to meet the needs of industrial development, including off-street parking and loading;
- 4. Strengthen and diversify the Municipality's economic industrial base and provide employment opportunities close to home for residents of the Municipality and surrounding communities;
- 5. Minimize and mitigate traffic conflicts and avoid the overloading of public infrastructure and services;
- 6. Minimize negative impacts of industrial development on abutting non-industrial districts;

1 7. Minimize negative environmental impacts of industrial development on stream  
2 corridors, wetlands, and other important natural resources; and

3 8. Ensure that the appearance of industrial buildings and uses are of high quality  
4 and are compatible with the character of the area in which they are located.

5 **B. IC: Industrial / Commercial District<sup>35</sup>**

6 1. **Purpose**

7 The OLIC district is applied-intended to lands-intended-for-future  
8 development. Large-lot single-family residential development is allowed by  
9 right, though rezoning provide linked commercial and/or master planning shall  
10 occur prior to other types industrial activities that are supportive of  
11 development.

12 PLI: Public Lands industrial function and Institutions District<sup>26</sup> are compatible  
13 with surrounding industrial use areas. Uses may include limited offices,  
14 wholesale and business service establishments, campus-style industrial  
15 parks, and limited retail/personal service storefronts. These areas are  
16 predominantly industrial, not commercial, in character.

17 2. **District-Specific Standards**

18 To maintain the predominantly industrial character of this district, each  
19 individual commercial use in the IC district shall be limited to not more than  
20 7,500 square feet in size, and no more than three commercial uses shall be  
21 located within any one building.

22 **C. I-1: Light Industrial District<sup>36</sup>**

23 1. **Purpose**

24 The PLI district is intended to include areas of significant public open space  
25 and major public and quasi-public institutional uses and activities.

26 **~~C. TA: Turnagain Arm District<sup>27</sup>~~**

27 The I-1 district is intended primarily for public and private light manufacturing,  
28 processing, service, storage, wholesale, and distribution operations.

29 **D. I-2: Heavy Industrial District<sup>37</sup>**

30 1. **Purpose**

31 The TA district is intended to govern the land uses for that area known as  
32 Turnagain Arm south of Potter Marsh, including but not limited to Rainbow,  
33 Bird Creek, Indian, and Portage. Areas within Girdwood are covered by  
34 Chapter 21.09, *Girdwood*. The permitted uses and densities within the TA  
35 district are to conform to the policies, land use patterns, and residential  
36 densities of the adopted Turnagain Arm Comprehensive Plan, which  
37 recognizes the need for some form of land use control system in the  
38 Turnagain Arm area. Growth in the area is likely to accelerate with the

<sup>26</sup> NOTE: This is the existing PLI district.

<sup>27</sup> NOTE: This is the existing R-11 district. Girdwood will be removed from the R-11 district and the new Girdwood zones will be in the new Chapter 21.09, *Girdwood*.

1 expansion of public facilities, the disposal of municipal lands, and the  
2 availability of vacant, developable land; however, development patterns still  
3 are not clearly defined, especially in the more remote sections of Turnagain  
4 Arm. Flexible controls are required to deal with anticipated growth, since  
5 development patterns and densities are uncertain. Community concern has  
6 centered upon the need to provide flexibility in the design and planning of land  
7 uses while providing control over major developmental activities and their  
8 impacts. The I-2 district is intended primarily for public and private heavy  
9 manufacturing, storage, major freight terminals, waste and salvage, resource  
10 extraction, and other related uses.

11 E. **MI: Marine Industrial District**<sup>38</sup>

12 1. **Purpose**

13 The MI district is intended primarily for a mix of marine commercial and  
14 industrial manufacturing, processing, storage, wholesale, and distribution  
15 operations that are water-dependent and/or water-related.

16 2. **District-Specific Standards**

17 Buildings shall include special design considerations that enhance the  
18 relationship between the shoreline and the proposed site development.

19 **21.04.060 OTHER DISTRICTS**

20 A. **AD: Airport Development District**<sup>39</sup>

21 1. **Purpose**

22 The AD district includes all lands and water areas owned by the Ted Stevens  
23 Anchorage International Airport, Merrill Field Airport, and Birchwood Airport.

24 2. **District-Specific Standards**

25 [RESERVED] (still discussing with airports)

26 B. **AF: Antenna Farm District**<sup>40</sup>

27 1. **Purpose**

28 The AF district is intended to create areas dedicated to the erection and  
29 maintenance of communication equipment at reasonable cost and to  
30 encourage the concentration of such equipment in a few sites throughout the  
31 Municipality.

32 C. **OL: Open Lands District**<sup>41</sup>

33 1. **Purpose**

34 The OL district is applied to lands intended for future development, including  
35 undesignated municipally owned lands. Large-lot single-family residential  
36 development is allowed by right, though rezoning and/or master planning shall  
37 occur prior to other types of development.

38 D. **PLI: Public Lands and Institutions District**<sup>42</sup>

39 1. **Purpose**

40 The PLI district is intended to include major public and quasi-public civic,  
41 administrative, and institutional uses and activities.

1           E.       PR: Parks and Recreation District<sup>43</sup>

2                   1.       **Purpose**

3                   The PR district is intended to include public lands and open space designated  
4                   by the Assembly as parks. The land uses within these parks are governed by  
5                   the current adopted Parks Plan and associated maps for that area of the  
6                   Municipality, and any existing master plans for individual parks.

7           F.       TA: Turnagain Arm District<sup>44</sup>

8                   1.       **Purpose**

9                   The TA district is intended to govern the land uses for that area known as  
10                   Turnagain Arm south of Potter Marsh, including but not limited to Rainbow,  
11                   Indian, Bird Creek, and Portage. Areas within Girdwood are not included in  
12                   the TA district and are covered by chapter 21.09, Girdwood. The permitted  
13                   uses and densities within the TA district are to conform to the policies, land  
14                   use patterns, and residential densities of the adopted Turnagain Arm  
15                   Comprehensive Plan. This district is structured to integrate flexible site  
16                   design with protection of unique scenic and environmental features, and to  
17                   provide control over the major secondary impacts of development. The TA  
18                   district regulations employ the conditional use process to provide review for  
19                   major development activities. By providing a public review process and by  
20                   requiring submission of detailed site plans, greater compatibility between the  
21                   proposed uses and adjacent existing uses can be obtained.

22                   2.       **District-Specific Standards**

23                   a.       **Additional Conditional Uses Allowed**

24                   In addition to the uses allowed in the TA district in accordance with  
25                   Table 21.05-12, Table of Allowed Uses – Commercial, Industrial,  
26                   Mixed-Use, and Other Districts, the following uses may be allowed  
27                   through the issuance of a conditional use permit subject to the  
28                   requirements of ~~Section~~ section 21.03.070, *Conditional Uses*:

29                   i.       Multi-Family Dwellings

30                   Multi-family dwellings that are four-plex or greater in density.

31                   ii.      Commercial Uses<sup>2845</sup>

32                   ~~(A) — Any commercial use with 4~~ Commercial structures of  
33                   more than 2,000 square feet or more of in gross  
34                   floorbuilding area, located in any area areas  
35                   designated “commercial” on the Turnagain Arm  
36                   Comprehensive Plan.

37                   ~~(A) Any commercial use with up to 4,000 square feet of~~  
38                   ~~gross floor area, located in any area designated~~  
39                   ~~“commercial” or “residential-commercial” on the~~  
40                   Turnagain Arm Comprehensive Plan.

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<sup>28</sup> ~~NOTE: This set of requirements is very confusing in the current code and it is not clear what thresholds apply to commercial development. This suggested new text attempts to clarify which uses are allowed in which areas. Additional modifications may be necessary.~~

1 (B) Commercial structures of more than 4,000 square  
2 feet in gross building area in areas designated  
3 "commercial" on the Turnagain Arm Comprehensive  
4 Plan.

5 (C) Uses occupying an area of more than 14,400 square  
6 feet in those areas designated as "commercial" or  
7 "residential-commercial" on the Turnagain Arm  
8 Comprehensive Plan.

9 iii. *Institutional Uses*

10 Any institutional use ~~of more than 4,000 square feet gross~~  
11 ~~floor area~~, located in any area, so long as the use is permitted  
12 in the PLI district.

13 iv. *Industrial Uses*

14 Industrial uses located within any area not designated as  
15 "industrial" on the Turnagain Arm Comprehensive Plan, ~~in~~  
16 ~~which case they; (industrial uses located with areas so~~  
17 ~~designated shall be treated as a permitted use.)~~

18 G. **W: Watershed District**<sup>2946</sup>

19 1. **Purpose**

20 The W district is intended to preserve and protect the potable water reserves  
21 available to the Municipality in the Chugach Range. The major responsibility  
22 in the management of watershed areas is the control of factors that may  
23 contaminate or pollute the water. Agricultural, residential, commercial,  
24 industrial, or other ~~urban~~ land uses, including infrastructure and utilities, are  
25 incompatible with the concept of watershed conservation.

26 **21.04.070 OVERLAY ZONING DISTRICTS**

27 A. **General Purpose/Intent**

28 The overlay zoning districts of this ~~Section~~section apply in combination with the  
29 underlying base zoning districts and impose regulations and standards for specific  
30 areas in addition to ~~those~~what is required by the base districts. The requirements of  
31 an overlay district shall apply whenever they are in conflict with those in the base  
32 district. Variances may not be granted from the overlay district regulations of this  
33 section unless specifically provided for in this Section-section. The following overlay  
34 districts are established:

- 35 1. Airport Height Overlay District;
- 36 2. Neighborhood Conservation Overlay District; and
- 37 3. ~~Floodplain~~Flood Hazard Overlay District.

<sup>29</sup> ~~NOTE: This is the existing W district. However, rather than keeping the current open-ended authorization for any type of conditional use, a limited number of possible conditional uses have been identified in the use table in 21.05.~~

1 | **B. Creation, Alteration, or Elimination of Overlay Districts**<sup>3047</sup>

2 | The creation, alteration, or elimination of an overlay district is a rezoning and is  
3 | governed by the provisions of ~~Section~~section 21.03.050F., *Rezoning to Create, Alter,*  
4 | *or Eliminate Overlay Districts.*

5 | **C. AHO: Airport Height Overlay District**<sup>3148</sup>

6 | **1. Purpose**

7 | The purpose of the Airport Height Overlay ~~district~~District is to regulate the  
8 | height of buildings and structures to prevent interference between land uses  
9 | and air traffic. It is intended to be in accordance with the Federal Aviation  
10 | Regulations (FAR).

11 | **2. ~~Adoption and Amendment of Specific~~ Airport Height Maps; ~~Specific~~**  
12 | **~~Maps~~ Adopted**

13 | The following airport height zone maps are adopted and thus the referenced  
14 | areas are located within the Airport Height Overlay District:

15 | a. The airport height zoning map prepared ~~by the state department of~~  
16 | ~~transportation and public facilities~~ for the Birchwood Airport in the  
17 | Municipality ~~dated February 8, 1984.~~(most recently adopted version).

18 | b. The airport height zoning map prepared ~~by the state department of~~  
19 | ~~transportation and public facilities~~ for the Girdwood Airport in the  
20 | Municipality ~~dated February 9, 1984.~~(most recently adopted version).

21 | c. The airport height zoning map prepared ~~by the state department of~~  
22 | ~~transportation and public facilities~~ ~~for thefor the Ted Stevens~~  
23 | Anchorage International Airport in the Municipality ~~dated February 8,~~  
24 | ~~1984.~~(most recently adopted version).

25 | ~~d. The adoption or amendment of any new airport height zone map shall be~~  
26 | ~~processed in the same manner as a rezoning pursuant to Section~~  
27 | ~~21.03.050.~~

28 | **~~3. Height Limitations~~**

29 | ~~Special height limitations, set forth in Chapter 21.06, apply to all development~~  
30 | ~~within the Airport Height Overlay District.~~

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<sup>30</sup>-NOTE: The current Section 21.20.140, "Overlay District Amendments," has been folded into the new Chapter 21-3. This change was made following initial public review of Chapter 21-3.

<sup>31</sup>-NOTE: This district is based on the existing "Airport Height Zoning Regulations" of Chapter 21.65.

**D. ~~Neighborhood Conservation Overlay District~~<sup>32</sup>**

**~~1.Purpose~~**

~~The Neighborhood Conservation Overlay (NCO) district is intended to protect and preserve the unique design features and character of neighborhoods throughout the Municipality, and to promote new construction that is compatible with existing neighborhood character. The overlay district is a flexible tool that may be applied to neighborhoods that have unique architectural, natural, cultural, or historic attributes.~~

**~~2.Establishment of Neighborhood Conservation Overlay Districts~~<sup>33</sup>**

~~The process for creating, altering, or eliminating a NCO district is set forth in Section ~~21.03.050~~. Establishment of an NCO district shall include designation of the NCO district by separate ordinance that shall include a map defining the overlay boundaries and an adopted Neighborhood Conservation Plan that shall establish standards and conditions for future development in the district consistent with the purposes of the plan. The Neighborhood Conservation Plan shall be adopted as a component of the Comprehensive Plan (see Section 21.01.090, *Comprehensive Plan*).~~

**~~3.Development Application Review~~**

~~Applications for new construction in an approved NCO district, or expansion of existing structures that results in an increase in building square footage or impervious surface of 50 percent or more, shall be submitted to the Director. The Director shall review and act upon such applications based on compliance with the regulations and general intent of the Neighborhood Conservation Plan and applicable development standards.~~

~~d. The Airport Height Zoning Map prepared for the Merrill Field Airport in the Municipality (most recently adopted version).~~

**~~3. Establishment or Modification~~**

~~In addition to the standard submittals required to initiate an overlay map amendment pursuant to section 21.03.050.F., establishment of an Airport Height Overlay District also shall require preparation of an airport height map as set forth in this section:~~

~~a. The owner or manager of any airport may prepare an airport height map in accordance with the provisions of this subsection and the~~

<sup>32</sup> NOTE: This is a new district. A conservation district is a **voluntary** tool that may be used to preserve a neighborhood's unique features. This section provides a template for all conservation districts. For the district to be applied, specific design regulations would need to be developed for each area, and such regulations could be located elsewhere in Title 21 (probably in Chapter 21.07, *Development and Design Standards*) or could be maintained by staff outside of Title 21. Unlike preservation districts, which can be relatively restrictive and involve special review procedures and bodies, conservation districts can be strict or relatively loose depending on the neighborhood and how much regulation it wants to impose upon itself. Generally such districts are more flexible than preservation districts and only regulate a few specific design attributes, such as porch placement or setbacks. Review of development proposals is administrative.

<sup>33</sup> NOTE: The process for establishing the NCO district will be set forth in Chapter 21.03 with the other procedures. The final authority to establish an NCO must lie with the Assembly, since such an action would be a rezoning. However, an outstanding issue to be discussed is what body reviews the NCO proposals and makes a recommendation to the Assembly. Options include the Planning Commission (which makes recommendations on all other rezonings), or the Urban Design Commission (which would fulfill the desire to give that body a more substantive role), or perhaps both of these bodies. If both bodies participate, then perhaps UDC could make a recommendation to P&Z, which then recommends to the Assembly (this would allow the P&Z to overrule the UDC in cases of disagreement).

1 stipulations of FAR part 77, subpart C, paragraph 77.23(A)(2),  
2 77.23(A)(3) or 77.25. The owner or manager of a governmentally  
3 operated airport shall prepare and maintain an airport height map in  
4 accordance with FAR part 77, subpart C, paragraph 77.25. The map  
5 shall be filed with the Department.

6 b. The map shall be to scale and shall accurately reference the  
7 following:

8 i. Existing subdivisions.

9 ii. Current zoning districts.

10 iii. Major reference points in the vicinity of the airstrip or airport.

11 iv. Existing topography, if available.

12 v. The airport elevation that shall be the official elevation of the  
13 airport or airstrip upon approval of the map.

14 c. The map required by paragraph a. above, shall accurately depict  
15 airspace zones as provided in FAR part 77, subpart C, paragraph  
16 77.25, in ten-foot conical increments. Before submission to the  
17 Department the map shall be certified by the Federal Aviation  
18 Administration that it depicts the requirements of FAR part 77, subpart  
19 C, paragraph 77.25. If, for safety reasons, zone surfaces deviate in  
20 any way from the requirements of the FAR, each such deviation shall  
21 be indicated in writing on the map and shall be accompanied by a  
22 letter of nonobjection by the Federal Aviation Administration. Any  
23 such deviation is subject to approval of the Department.

24 d. Before submission to the Department any optional map depicting  
25 airspace zones provided in FAR part 77, subpart C, paragraph  
26 77.23(A)(2) or 77.23(A)(3), must be certified by the Federal Aviation  
27 Administration indicating that it accurately depicts the requirements of  
28 FAR part 77, subpart C, subsection 77.23(A)(2) or 77.23(A)(3).

29 4. **Additional Height Limitations in Airport Height Overlay District**  
30 Notwithstanding the height limitations in section 21.06.010, *Dimensional*  
31 *Standards Tables*, all development within the Airport Height Overlay District  
32 shall comply with the following height limitations:

33 a. No structure shall be constructed or maintained so that it exceeds the  
34 greater of:

35 i. Thirty-five feet above ground elevation; or

36 ii. The maximum height permitted under FAR part 77, subpart  
37 C, as depicted on any airport height zone map adopted under  
38 section 21.04.070.C., *Airport Height Overlay District*.

39 b. Any structure within three nautical miles of an airport reference point  
40 established by federal regulation, the height of which exceeds the

1 level of that reference point by more than 200 feet, shall present to  
2 the Building Official the results of an airspace determination  
3 conducted by the Federal Aviation Administration pursuant to its  
4 regulations.

5 c. The height restrictions of this district do not apply to buildings for  
6 which building or land use permits were issued prior to June 17,  
7 1986.<sup>49</sup>

8 d. Vegetation shall not be affected by the height limitation of this section.

9 **D. NCO: Neighborhood Conservation Overlay District<sup>50</sup>**

10 **1. Purpose**

11 The NCO district is intended to allow neighborhoods throughout the  
12 Municipality to protect and preserve distinctive design features and existing  
13 character, and to promote new construction that is compatible with existing  
14 character. The overlay district is a flexible tool that may be applied to a  
15 variety of neighborhoods, each of which is distinguished by its architectural,  
16 natural, cultural, or historic attributes. Each NCO district established under  
17 this Code will have an adopted Neighborhood Conservation Plan that  
18 identifies the character-defining characteristics of that neighborhood.

19 **2. Establishment or Modification<sup>51</sup>**

20 Establishment of an NCO district shall include designation of the NCO district  
21 by separate ordinance that shall include a map defining the overlay  
22 boundaries and an adopted Neighborhood Conservation Plan that shall  
23 establish standards and conditions for future development in the district  
24 consistent with the purposes of the plan. The Neighborhood Conservation  
25 Plan shall be adopted as a component of the Comprehensive Plan (see  
26 section 21.01.080, *Comprehensive Plan*).

27 **a. Eligibility Criteria**

28 Areas meeting all of the following minimum criteria may be  
29 considered for NCO designation:

30 i. The proposed district includes a minimum area of at least two  
31 contiguous acres, including intervening streets and other  
32 rights-of-way, and contains at least three separate parcels.

33 ii. At least 75 percent of the land area within the proposed  
34 district, not including streets and other rights-of-way, is  
35 developed.

36 iii. As of the date of application for designation, at least 50  
37 percent of the developed lots contain principal structures that  
38 are more than 20 years old.

39 iv. The proposed area has a distinctive character with  
40 identifiable attributes, embodied in architecture, use, urban  
41 design, or history that make it an integral part of the  
42 Municipality's identity.

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- v. The proposed area has a recognized neighborhood identity and a definable physical character that makes the area's conservation important to the Municipality's history or function.
  
- b. **Determination of Eligibility**
  - i. Requests to establish or modify NCO districts may originate with any interested citizen or citizen group and shall be presented to the Director for consideration. Citizens or groups that request a determination of eligibility are responsible for gathering and preparing the materials necessary to justify whether the neighborhood meets the eligibility criteria.
  
  - ii. Working with the Director, the Urban Design Commission shall conduct a preliminary consideration of the eligibility of the proposed area based on the criteria set forth in subsection a. above. The Urban Design Commission may conduct informal meetings with residents of the community, seek the advice of preservation professionals and historians, and conduct or receive any preliminary research or studies to assist with its decision regarding eligibility.
  
- c. **Preparation of Neighborhood Conservation Plan**
  - i. If the Urban Design Commission determines that the general area is eligible to become a NCO district, it shall direct the Director to notify the property owners in the proposed area as identified in municipal tax records, through first class mail, that an informational meeting will be conducted and that a task force will be formed to assist the Urban Design Commission in preparing a Neighborhood Conservation Plan for the district. The task force shall be appointed by the Urban Design Commission and be composed of individuals representing various interests in the area under consideration and members of the Urban Design Commission. The Director shall appoint a liaison from the Municipality's staff to serve on the task force.
  
  - ii. The Neighborhood Conservation Plan shall detail the boundaries of the district, document the history and significance of the area, provide photographs of properties within the area, and present proposed design standards and guidelines for regulating future development in the district.
  
  - iii. The Urban Design Commission shall review the Neighborhood Conservation Plan, including the proposed boundaries and design guidelines, and shall then vote whether to recommend to the Planning and Zoning Commission that the area be designated an NCO district.
  
- d. **Property Owners' Approval**
  - Prior to submission to the Planning and Zoning Commission, the Neighborhood Conservation Plan shall be made available for review

1 by all of the owners of parcels in the proposed district. Each property  
2 owner shall indicate whether they are for, against, or undecided on  
3 the application. If the signature of an owner cannot be obtained, the  
4 applicant may substitute a signed affidavit stating that the applicant  
5 has attempted in good faith to obtain the signature of the owner but  
6 has been unable to do so. Owners of record will be based on  
7 currently available municipal assessor's information. At least 51  
8 percent of the property owners within the proposed district must  
9 approve the application before it may be submitted to the Planning  
10 and Zoning Commission for review.

11 e. **Rezoning Process**

12 If the Urban Design Commission recommends designation of the  
13 NCO district, and at least 51 percent of the property owners indicate  
14 approval, then the Director shall forward the application to the  
15 Planning and Zoning Commission for an amendment to include the  
16 district on the zoning map. The application shall then be processed  
17 according to the general rezoning procedures set forth in section  
18 21.03.050C., *General Procedures*.

19 f. **Findings Required**

20 In addition to the general approval criteria applicable to all proposed  
21 rezonings, an application for designation of a NCO district may be  
22 approved only if the Assembly finds that:

23 i. The district retains the general character and appearance of  
24 its original period of development;

25 ii. The district evidences on-going maintenance of existing older  
26 buildings and/or there is potential for rehabilitation of existing  
27 buildings in the district;

28 iii. There is potential or existing pressures for redevelopment  
29 and new infill development in the district;

30 iv. The district exhibits a significant degree of continuity in terms  
31 of the built environment, including both sides of the facing  
32 block fronts; and

33 v. The proposed development standards are appropriate to  
34 protect and preserve the general character and appearance  
35 of the district.<sup>52</sup>

36 g. **Establishment of NCO District**

37 The Assembly shall designate each NCO district by separate  
38 ordinance that shall include a map defining the overlay boundaries  
39 and an adopted Neighborhood Conservation Plan that shall establish  
40 standards and conditions for future development in the district  
41 consistent with the purposes of the plan. The Neighborhood  
42 Conservation Plan shall be adopted as a component of the  
43 Comprehensive Plan (see section 21.01.080, *Comprehensive Plan*).

44 h. **Amendments to Approved Neighborhood Conservation Districts**

1 Any proposal to add or subtract parcels to an adopted NCO District,  
2 including the dissolution of the district, or any proposed modification  
3 to the development standards in an NCO district, shall be subject to  
4 the procedural requirements set forth in this subsection.

5 **3. Development Application Review**<sup>53</sup>

6 Applications for development in an approved NCO district shall be reviewed  
7 by the regular decision-making body assigned by this code to hear such  
8 applications. For example, the Director shall review administrative site plans  
9 in an NCO district, and the Urban Design Commission shall review major site  
10 plans. Applications shall be reviewed for compliance with the Neighborhood  
11 Conservation Plan and associated development standards, in addition to any  
12 other applicable requirements of this code.

13 **4. Development Standards**<sup>3454</sup>

14 **a.** All new development, additions, changes, and expansions to existing  
15 structures must comply with the regulations associated with the NCO  
16 district.

17 **b.** Neighborhood Conservation Plans may contain neighborhood design  
18 standards related to any of the following issues: location of proposed  
19 buildings or additions; uses; height; size; exterior materials;  
20 demolition; exterior color; setbacks; lot size/coverage; roof line/pitch;  
21 paving; building orientation; relationship of buildings to the  
22 streetscape; location of parking; exterior lighting; neighborhood  
23 character and compatibility; view preservation of or from specific  
24 locations; landscaping and screening; riparian areas, wetland areas,  
25 or drainage patterns; and site disturbance.

26 **c.** In no circumstance shall a Neighborhood Conservation Plan:

27 **i.** Relax or waive any standard of general applicability in this  
28 Code; or

29 **ii.** Allow uses that are prohibited in the underlying base zoning  
30 district.

31 **d.** When the neighborhood design standards have been approved for an  
32 NCO district, each application for a building permit for new  
33 construction within that district shall comply with those standards.

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<sup>34</sup> ~~NOTE: These draft development standards simply list the types of standards that may be regulated in an NCO district, but there are no general standards applicable to all NCO districts. In other words, a new set of neighborhood-specific standards would need to be developed each time a new NCO district is proposed. (An alternative approach would be to list in the code some simple compatibility standards that might apply in all conservation districts. The advantage of this alternative approach would be that, by including such general standards in Title 21, they would not need to be considered in each neighborhood planning process, which could streamline the process of developing neighborhood-specific standards for each new NCO district.)~~

1 | **E. FHO: Flood Hazard Overlay District<sup>3555</sup>**

2 | **1. Purpose and Intent**

3 | The purpose of the Flood Hazard Overlay District is to promote the public  
4 | health, safety, and general welfare and to minimize loss due to flood. The  
5 | provisions of this Sectionsection are intended to be an addition to all other  
6 | land use regulations and to:

- 7 | a. Restrict or prohibit uses and structures that are dangerous to health,  
8 | safety, or property in time of flood, or that cause increased flood  
9 | heights or velocities;
- 10 | b. Require that uses vulnerable to floods, including public facilities that  
11 | serve such uses, be provided with flood protection or flood proofing at  
12 | the time of initial construction;
- 13 | c. Minimize the need for rescue and relief efforts associated with  
14 | flooding and generally undertaken at the expense of the general  
15 | public;
- 16 | d. Minimize prolonged business interruptions;
- 17 | e. Minimize damages to public facilities and utilities such as water and  
18 | gas mains, electric, telephone and sewer lines, streets and bridges  
19 | located in areas of special flood hazard;
- 20 | f. Help maintain a stable tax base by providing for the sound use and  
21 | development of areas of special flood hazard so as to minimize future  
22 | flood blight areas;
- 23 | g. Ensure that potential buyers are notified that property is in an area of  
24 | special flood hazard; and
- 25 | h. Ensure that those who occupy the areas of special flood hazard  
26 | assume responsibility for their actions.

27 | **2. Interpretation of Section; Disclaimer of Liability**

- 28 | a. In the interpretation and application of this Sectionsection, all  
29 | provisions shall be:
- 30 | i. Considered as minimum requirements;
- 31 | ii. Liberally construed in favor of the governing body; and
- 32 | iii. Deemed neither to limit nor repeal any other powers granted  
33 | under state statutes.
- 34 | b. The degree of flood protection required by this Sectionsection is  
35 | considered reasonable for regulatory purposes and is based on  
36 | scientific and engineering considerations. Larger floods can and will  
37 | occur on rare occasions. Flood heights may be increased by

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<sup>35</sup> ~~NOTE: This section carries forward the existing regulations from Chapter 21.60, "Flood Plain Regulations."~~

1 | manmade or natural causes. This ~~Section~~section does not imply that  
2 | land outside the areas of special flood hazard or uses permitted  
3 | within such area will be free from flooding or flood damages. This  
4 | ~~Section~~section shall not create liability on the part of the Municipality,  
5 | any officer or employee thereof, or the Federal Insurance  
6 | Administration for any flood damages that result from reliance on this  
7 | ~~Section~~section or any administrative decision lawfully made  
8 | thereunder.

9 | **3. Creation of Flood Hazard Overlay District; Official Flood Hazard Reports**  
10 | **and Maps**

11 | **a. Creation of District; Adoption of Reports and Maps**

12 | There is hereby created a Flood Hazard Overlay District. This district  
13 | shall be defined in its territorial extent by subsection 4. below,  
14 | "Establishment of Flood Hazard Overlay District," and by the following  
15 | reports and maps:

- 16 | i. Flood Insurance Study for the Municipality of Anchorage,  
17 | prepared by the Federal Insurance Administration, Federal  
18 | Emergency Management Agency (FEMA).
- 19 | ii. Flood insurance rate map (FIRM) prepared by the Federal  
20 | Insurance Administration, FEMA.
- 21 | iii. Flood boundary and floodway map, prepared by the Federal  
22 | Insurance Administration, FEMA.
- 23 | iv. Flood hazard boundary map (FHBM), prepared by the  
24 | Federal Insurance Administration, FEMA.

25 | The current editions of each of the maps and reports listed in this  
26 | subsection are made a part of this ~~Section~~section. Subsequent  
27 | maps and reports prepared by the Federal Insurance Administration  
28 | or the Municipality delineating the Flood Hazard Overlay District,  
29 | floodway and floodplain areas within the Municipality shall become  
30 | part of this chapter upon publication. A copy of the reports and maps  
31 | cited in this subsection shall be on file in the ~~department of~~  
32 | ~~community planning and development of the Municipality~~Department.  
33 | Definitions of terms appearing on the maps and reports appear in 41  
34 | CFR 19.09.1.

35 | **b. Review of Maps**

36 | In no case will longer than five years elapse without an update and  
37 | review of the existing flood hazard district maps. The review may be  
38 | conducted by the Municipality, the U.S. ~~Army~~Corps of Engineers, or  
39 | the Federal Insurance Administration, and any changes or  
40 | amendments in the boundaries of the flood hazard district, floodway,  
41 | or floodway fringe area shall then be submitted to the planning and  
42 | zoning commission and assembly for final adoption as part of this  
43 | chapter.

44 | **c. Rules for Interpretation of District Boundaries**

1 The boundaries of the floodplain districts established by this chapter  
2 shall be determined from the cited maps and reports. Where  
3 interpretation is needed as to the exact location of the boundaries, the  
4 Department of ~~Public Works~~Project Management and Engineering,  
5 upon advice from the U.S. ~~Army~~-Corps of Engineers, shall make the  
6 necessary interpretation.

7 **4. Establishment of Flood Hazard Overlay District**

8 The area within the limit of the boundary of the base flood, the highest  
9 extreme tide, or a designated special hazard area is hereby designated as the  
10 Flood Hazard Overlay District. The boundaries of this district are established  
11 in accordance with subsection 3. above.

12 **5. Regulations Applicable to Flood Hazard Overlay District**

13 **a. Applicability**

14 The regulations within this section shall apply to all areas of the Flood  
15 Hazard Overlay District.

16 **b. Prohibited Development**

17 Any encroachments, new construction, fill, obstructions, substantial  
18 improvements and other development or action within the regulatory  
19 floodway that would result in any increase in flood levels during the  
20 occurrence of a base flood are prohibited.

21 **c. Standards for Issuance of Land Use Permit**

22 No building permits, encroachment permits, manufactured home  
23 permits, or other land use permits shall be issued for the construction  
24 or placing of a structure within the Flood Hazard Overlay District  
25 unless the plans show that, in addition to compliance with all other  
26 ordinances, regulations and permit requirements, the structure shall  
27 meet the following requirements:

28 i. Prior to final approval of a permit it must be demonstrated  
29 that all necessary permits have been received from those  
30 governmental agencies from which approval is required by  
31 federal or state law, including section 404 of the Federal  
32 Water Pollution Control Act amendments of 1972.

33 ii. It must be demonstrated that the structure will be reasonably  
34 safe from flooding. If a proposed building site is in a  
35 floodplain, all new construction and substantial improvements  
36 shall be designed and adequately anchored to prevent  
37 flotation, collapse or lateral movement of the structure, be  
38 constructed with materials and utility equipment resistant to  
39 flood damage, and be constructed by methods and practices  
40 that minimize flood damage.

41 iii. The approval of a subdivision application shall require proof  
42 that:

43 (A) The proposed construction is consistent with the need to  
44 minimize flood damage within the floodplain;

- 1 (B) All public utilities and facilities such as sewer, gas,  
2 electrical and water systems are to be located and  
3 constructed to minimize or eliminate flood damage;
- 4 (C) Adequate drainage is provided to reduce exposure to  
5 flood hazards; and
- 6 (D) Base flood elevation data has been provided for  
7 subdivision proposals and other proposed development  
8 which contains at least 50 lots or five acres, whichever is  
9 less.
- 10 iv. Construction within floodplains shall require that new and  
11 replacement water supply systems be designed to minimize  
12 or eliminate infiltration of floodwaters into the systems.
- 13 v. Construction within floodplains shall require that:
- 14 (A) New and replacement sewage systems shall be  
15 designed to minimize or eliminate infiltration of  
16 floodwaters into the systems and discharges from the  
17 systems into floodwaters; and
- 18 (B) On-site waste disposal systems to be located to avoid  
19 impairment to them or contamination from them during  
20 flooding.
- 21 d. **Storage of Materials or Equipment**  
22 The storage or processing of equipment or materials that are  
23 buoyant, flammable, explosive or injurious to safety, or which would  
24 cause a violation of state water quality standards upon contact with  
25 water, are prohibited.
- 26 6. **Regulations Applicable to Subdistricts**  
27 a. **Floodway Area**  
28 Since the floodway is an extremely hazardous area due to the  
29 velocity of floodwaters, which carry debris and potential projectiles  
30 and have erosion potential, the following provisions apply:
- 31 i. Permitted uses and structures are parks, parkways,  
32 greenbelts, land reserves, golf courses, playgrounds,  
33 playfields, and related facilities.
- 34 ii. Permitted accessory uses and structures are picnic tables,  
35 playground equipment, outdoor cooking facilities and like  
36 structures.
- 37 iii. The following structures and activities are permitted only by  
38 special flood hazard permit: excavation of sand, gravel and  
39 other natural resources, railroad and tramway tracks, streets,  
40 bridges, utility installations and pipelines, storage yards for  
41 equipment and materials, commercial farming, landfills and  
42 land reclamation.

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iv. The following uses are prohibited: encroachments not otherwise excepted in this section, including fill, new construction, substantial improvements and other development, unless certification by a registered professional engineer or architect is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge or result in violation of the state water quality standards. Manufactured homes are prohibited, except as otherwise stated in this ~~Section~~section.

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b. **Floodway Fringe Area**  
The regulations listed in this subsection are applicable to the floodway fringe area:

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i. Permitted uses and structures are parks, parkways, greenbelts, land reserves, golf courses, playgrounds, playfields and related facilities.

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ii. Permitted accessory uses and structures are picnic tables, playground equipment, outdoor cooking facilities and like structures.

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iii. The following uses, structures and activities are permitted only by special flood hazard permit: any use permitted by special flood hazard permit as set forth in subsection a. of this section, and all other uses, structures and activities which are in accordance with all other land use regulations provided they are adequately floodproofed as set forth in subsection 8. below, *Special Flood Hazard Permit*.

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iv. The following uses are prohibited: uses, structures and activities which are not permitted under subsections b.i through iii. of this section or which would cause violations of state water quality standards.

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7. **Construction Requirements**

a. **Generally**  
All new construction and substantial improvements in areas designated on the flood insurance rate map as zones A1-30 shall meet the following conditions:

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i. The lowest floor, including basement, of residential structures shall be elevated to or above the base flood level.

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ii. The lowest floor, including basement, of nonresidential structures shall be elevated to or above the base flood level, unless the structure, with all utility and sanitary facilities, is designed so that below base flood level the structure is watertight with walls substantially impermeable to the passage of water and so that it is capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

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- iii. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
  - iv. Where floodproofing is utilized a registered professional engineer or architect shall certify that the floodproofing methods are adequate.
  - v. For new manufactured home parks and manufactured home subdivisions; for expansions to existing manufactured home parks and manufactured home subdivisions; for existing manufactured home parks and manufactured home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50 percent of value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for manufactured homes not placed in a manufactured home park or manufactured home subdivision, require that the repair, and on all property not within a manufactured home park or subdivision stands or lots are elevated on compacted fill or on pilings so that:
    - (A) The lowest floor of each manufactured home must be at or above the base flood level.
    - (B) Adequate surface drainage and access for a hauler must be provided.
    - (C) For manufactured homes placed on pilings, pilings must be stable and no more than ten feet apart and reinforced if more than six feet above the ground level.
    - (D) Lots must be large enough to permit steps.
  - vi. All manufactured homes to be placed or substantially improved within zones A1-30, AH and AE shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation, and be securely anchored to an adequately anchored foundation system.
  - vii. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include but are not limited to use of over-the-top or frame ties to ground anchors.
- b. **Standards for Shallow Flood Areas (AO Zones)**

1 Shallow flooding areas appear on FIRM's the Flood Insurance Rate  
2 Maps as AO zones with depth designations. The base flood depths  
3 in these zones range from one to three feet where a clearly defined  
4 channel does not exist, or where the path of flooding is unpredictable  
5 and where velocity flow may be evident. Such flooding is usually  
6 characterized as sheet flow. In these areas, the following provisions  
7 apply:

8 i. New construction and substantial improvements of residential  
9 structures within AO zones shall have the lowest floor,  
10 including basement, elevated above the highest adjacent  
11 grade of the building site, to or above the depth number  
12 specified on the FIRM Flood Insurance Rate Map (at least two  
13 feet if no depth number is specified).

14 ii. New construction and substantial improvements of  
15 nonresidential structures within AO zones shall either:

16 (A) Have the lowest floor, including basement, elevated  
17 above the highest adjacent grade of the building site, or  
18 to or above the depth number specified on the  
19 FIRM Flood Insurance Rate Map (at least two feet if no  
20 depth number is specified); or

21 (B) Together with attendant utility and sanitary facilities, be  
22 completely floodproofed to or above that level so that  
23 any space below that level is watertight with walls  
24 substantially impermeable to the passage of water and  
25 with structural components having the capability of  
26 resisting hydrostatic and hydrodynamic loads and effects  
27 of buoyancy. If this method is used, compliance shall be  
28 certified by a registered professional engineer or  
29 architect ~~as in required in Section 21.60.065.A.4.~~

30 iii. Adequate drainage paths are required around structures on  
31 slopes to guide floodwaters around and away from proposed  
32 structures.

33 c. **Standards for Zone A99**

34 All construction in areas designated on the flood insurance rate map  
35 as zone A99 shall meet all requirements of subsections a. and b. of  
36 this section.

37 8. **Special Flood Hazard Permit**

38 a. **Required**

39 No person shall engage in development within the Flood Hazard  
40 Overlay District unless a special flood hazard permit is first issued,  
41 pursuant to Section 21.03.100, *Special Flood Hazard Permits*.

42 b. **Conditions**

43 Special conditions may be attached as a condition to the issuance of  
44 a special flood hazard permit. Conditions shall include any  
45 floodproofing measures deemed necessary by the issuing official to

- 1 further the purposes of this chapter. Floodproofing measures may  
2 include requirements that:
- 3 i. The finished surface of the first or main floor shall be at least  
4 one foot above the level of the regulatory flood protection  
5 elevation.
  - 6 ii. Structures or uses below the level of the regulatory flood shall  
7 be restricted to those not involving habitual human habitation,  
8 such as working space, living space, sleeping space, etc.
  - 9 iii. The anchorage shall be suitable to resist flotation and lateral  
10 movement.
  - 11 iv. For all construction and substantial improvements, fully  
12 enclosed areas below the lowest floor that are subject to  
13 flooding shall be designed to automatically equalize  
14 hydrostatic flood forces on exterior walls by allowing for the  
15 entry and exits of floodwaters. Designs for meeting this  
16 requirement must either be certified by a registered  
17 professional engineer or architect or must meet or exceed the  
18 following minimum criteria: A minimum of two openings  
19 having a total net area of not less than one square inch for  
20 every square foot of enclosed area subject to flooding shall  
21 be provided. The bottom of all openings shall be no higher  
22 than one foot above grade. Openings may be equipped with  
23 screens, louvers or other coverings or devices provided that  
24 they permit the automatic entry and exits of floodwaters.
  - 25 v. All areas below the level of the regulatory flood protection  
26 levels shall be coated with paint, membranes, or mortars  
27 substantially impermeable to the passage of water.
  - 28 vi. Water supply and waste treatment systems must prevent  
29 infiltration of water.
  - 30 vii. All interior drains must be connected to the sanitary sewer  
31 system.

32 **9. Nonconforming Uses**

33 A structure or the use of a structure or premises located within the Flood  
34 Hazard Overlay District that was lawful before the original passage of  
35 applicable regulations, but that is not in conformity of the provisions of such  
36 regulations, may be continued subject to the following conditions:

- 37 a. No such use shall be expanded, changed, enlarged, or altered in any  
38 way which increases its nonconformity with respect to the provisions  
39 of this chapter.
- 40 b. No repair, alteration, or addition shall be made to any nonconforming  
41 structure if the value of such repair, alteration, or addition shall  
42 exceed 50 percent of the value of the structure at the time of its

- 1 becoming a nonconforming use unless the structure is permanently  
2 changed to a conforming use.
- 3 c. If such use is discontinued for 12 consecutive months, any future use  
4 of the structure or premises shall conform to this chapter.
- 5 d. Uses or adjuncts thereof which are or have become nuisances shall  
6 not be entitled to continuance as nonconforming uses.
- 7 e. Any permitted alteration, addition, or repair to any nonconforming  
8 structure the cost of which equals or exceeds 50 percent of the fair  
9 market value of the structure which would result in substantially  
10 increasing the flood damage potential shall be adequately  
11 floodproofed in accordance with subsection 8.

12 ~~10.~~ **Duties of Administrative Agent**

13 **10. Duties of the Director of the Department of Project Management and**  
14 **Engineering<sup>56</sup>**

- 15 a. The ~~administrative agent~~Director of the Department of Project  
16 Management and Engineering shall grant or deny development  
17 permit applications in accordance with the provisions of this chapter,  
18 except that the platting board is directed and authorized to consider  
19 this chapter in relation to any matter brought before that board.
- 20 b. The ~~administrative agent~~Director of the Department of Project  
21 Management and Engineering shall maintain all records required by  
22 the Federal Insurance Administration and shall file an annual report  
23 with the federal insurance administrator. Form OMB 64-R1546 shall  
24 be used in accordance with 41 CFR 1909.22(b)(3)
- 25 c. Additional duties and responsibilities of the ~~administrative~~  
26 ~~agent~~Director of the Department of Project Management and  
27 Engineering are as follows:
- 28 i. *Permit Review*  
29 The ~~administrative agent~~Director of the Department of Project  
30 Management and Engineering shall:
- 31 (A) Review all flood hazard permits to determine that the  
32 permit requirements of this chapter have been satisfied.
- 33 (B) Review all flood hazard permits to determine that all  
34 necessary permits have been obtained from those  
35 federal, state, or local governmental agencies from  
36 which prior approval is required.
- 37 (C) Review all flood hazard permits to determine if the  
38 proposed development is located in the floodway, and, if  
39 located in the floodway, ensure that the encroachment  
40 provisions of subsection 6.a. above are met.
- 41 ii. *Use of Other Base Flood Data*

1 When base flood elevation data have not been provided in  
2 accordance with subsection 2. above, the ~~designated~~  
3 ~~agent~~Director of the Department of Project Management and  
4 Engineering shall obtain, review and reasonably utilize any  
5 base flood elevation data available from a federal, state or  
6 other source in order to administer subsections 6. through 9.  
7 above.

8 iii. *Information to be Obtained and Maintained*

9 The ~~administrative agent~~Director of the Department of Project  
10 Management and Engineering shall:

11 (A) Obtain and record the actual elevation, in relation to  
12 mean sea level, of the lowest habitable floor, including  
13 basement, of all new or substantially improved  
14 structures, and whether or not the structure contains a  
15 basement.

16 (B) For all new or substantially improved floodproofed  
17 structures:

18 (1) Verify and record the actual elevation, in relation  
19 to mean sea level; and

20 (2) Maintain the floodproofing certifications required  
21 in subsection 7.a.4. above.

22 (3) Maintain for public inspection all records  
23 pertaining to the provisions of this section.

24 iv. *Duties Regarding Alteration of Watercourses*

25 The ~~administrative agent~~Director of the Department of Project  
26 Management and Engineering shall:

27 (A) Notify adjacent communities and the state coordinating  
28 agency prior to any alteration or relocation of a  
29 watercourse and submit evidence of such notification to  
30 the Federal Insurance Administration.

31 (B) Require that maintenance is provided within the altered  
32 or relocated portion of the watercourse so that the flood-  
33 carrying capacity is not diminished.

34 v. *Interpretation of FIRM Boundaries*

35 The ~~administrative agent~~Director of the Department of Project  
36 Management and Engineering shall make interpretations,  
37 where needed, as to exact location of the boundaries of the  
38 areas of special flood hazard, for example, where there  
39 appears to be a conflict between a mapped boundary and  
40 actual field conditions. The person contesting the location of  
41 the boundary shall be given a reasonable opportunity to  
42 appeal the interpretation as provided in subsection 11. below.

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- 11. Appeal Procedure**  
Appeals alleging error by the ~~administrative agent~~ Director of the Department of Project Management and Engineering charged with the enforcement or interpretation of this chapter may be taken to the Zoning Board of Examiners and Appeals in accordance with the provisions of ~~Section~~ section 21.03.210, *Appeals*.
- 12. Standards and Conditions for Variances and Appeals**
- a. In passing upon variances or appeals, the Zoning Board of Examiners and Appeals shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ~~Section~~ section and:
    - i. The danger that materials may be swept onto other lands to the injury of others;
    - ii. The danger to life and property due to flooding or erosion damage;
    - iii. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
    - iv. The importance of the services provided by the proposed facility to the community;
    - v. The necessity of the facility of a waterfront location, where applicable;
    - vi. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
    - vii. The compatibility of the proposed use with existing and anticipated development;
    - viii. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
    - ix. The safety of access to the property in time of flood for ordinary and emergency vehicles;
    - x. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
    - xi. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems and streets and bridges.
  - b. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing

- 1 structures constructed below the base flood level, providing the items  
2 in subsections a.i through xi. of this section have been fully  
3 considered. As the lot size increases beyond one-half acre, the  
4 technical justification required for issuing the variance increases.
- 5 c. The Zoning Board of Examiners and Appeals may attach such  
6 conditions to the granting of variances or appeals as it deems  
7 necessary to further the purposes of this chapter.
- 8 d. The ~~administrative agent~~Director of the Department of Project  
9 Management and Engineering shall maintain the records of all  
10 variance and appeal actions and report any variances to the Federal  
11 Insurance Administration upon request.
- 12 e. Conditions for variances are as follows:
- 13 i. Variances may be issued for the reconstruction, rehabilitation,  
14 or restoration of structures listed on the National Register of  
15 Historic Places or the state inventory of historic places,  
16 without regard to the procedures set forth in the remainder of  
17 this section.
- 18 ii. Variances shall not be issued within any designated floodway  
19 if any increase in flood levels during the basic flood discharge  
20 would result.
- 21 iii. Variances shall only be issued upon a determination that the  
22 variance is the minimum necessary, considering the flood  
23 hazard, to afford relief.
- 24 iv. Variances shall only be issued upon:
- 25 (A) A showing of good and sufficient cause;
- 26 (B) A determination that failure to grant the variance would  
27 result in exceptional hardship to the applicant; and
- 28 (C) ~~A~~ determination that the granting of a variance will not  
29 result in increased flood heights, additional threats to  
30 public safety, or extraordinary public expense, create  
31 nuisances, cause fraud on or victimization of the public,  
32 or conflict with existing local laws or ordinances.
- 33 v. Any applicant to whom a variance is granted shall be given  
34 written notice that the structure will be permitted to be built  
35 with a lowest floor elevation below the base flood elevation  
36 and that the cost of flood insurance will be commensurate  
37 with the increased risk resulting from the reduced lowest floor  
38 elevation.

<sup>1</sup> 2005 NOTE: There have been numerous major and minor text edits throughout this chapter to the general purpose statements, the district purpose statements, and some district names. Because of the volume of edits, all specific text changes are not individually tracked with footnotes, though major changes are noted.

<sup>2</sup> NOTE: This is a proposed consolidation of the existing R-1 and R-1A districts. The only distinction between the two districts in the current code is that R-1 has a smaller minimum lot size (6,000 square feet, versus 8,400 square feet in the R-1A district), and a smaller minimum lot width requirement (50 feet, versus 70 feet in R-1A). Further discussion is needed about the appropriate lot size and lot width in this new district. For discussion purposes, we propose using the lower minimum requirements to avoid making existing properties nonconforming. Staff agrees with this proposal.

<sup>3</sup> NOTE: This is a proposed consolidation of the existing R-2A and R-2D districts. As with the proposed consolidation of the existing R-1 and R-1A districts, we propose using the lower minimum requirements to avoid making existing properties nonconforming. Staff agrees with this proposal.

<sup>4</sup> NOTE: This district is based on the existing R-2M district. Based on *Anchorage 2020*, this district is intended to provide some neighborhoods with a greater diversity of housing by allowing a mix of dwelling types (single-family, two-family, and multi-family structures).

<sup>5</sup> 2005 NOTE: The requirements for a mix of housing types have been removed per numerous comments and replaced with a suggested new incentive for a mix of housing types.

<sup>6</sup> NOTE: This district is a proposed consolidation of the existing R-3 and R-4 districts, which are very similar in the current code.

<sup>7</sup> NOTE: This is the existing R-5A district, but a new name is proposed for simplicity.

<sup>8</sup> NOTE: This is the existing R-6 district. In the draft of chapter 21.06, the lot size and width have been revised to eliminate the need to include dedicated rights-of-way.

<sup>9</sup> 2005 NOTE: This is the existing R-7 district. It originally proposed for elimination in the title 21 rewrite project, but now is proposed to be carried forward in its current form in response to numerous comments.

<sup>10</sup> NOTE: This is the existing R-9 district; the existing R-8 district is proposed to be consolidated into this district.

<sup>11</sup> 2005 NOTE: The lot and site requirements have been relocated here from the prior version of chapter 21.06. This is the existing R-10 district.

<sup>12</sup> 2005 NOTE: Two comments on this provision (which is carried forward from the current code) ask whether this could be interpreted as a requirement to perform soil analysis to determine the presence of earthquake hazards. We are not aware of the Municipality enforcing this current provision in such a way, and are not aware of any plans to institute such a policy. Such a requirement, if implemented, should be in the form of a standard and not contained in a purpose statement.

<sup>13</sup> 2005 NOTE: Two comments both questioned this table, believing it to be a new approach and asking whether the new title 21 would provide for "grandfather rights for people who purchased under existing rules." This does contain the existing rules – the only substantive change proposed is a change in the 2005 draft to consolidate the rules for slopes of 20.00 percent or less.

<sup>14</sup> 2005 NOTE: This is a suggested new name for what was called the GC district in the prior draft. The proposed new name is intended to emphasize the district's focus on auto-dependent uses. OLD NOTE: This district is based loosely on the existing B-3 district. However, as discussed in the Diagnosis and Annotated Outline, the title 21 rewrite project will attempt to rein in the B-3 by creating a new set of mixed-use districts that are more suitable for higher-density commercial development. New commercial design standards will help mitigate the visual impacts of commercial development in this district on surrounding neighborhoods. A new height limit also will help limit large-scale commercial development. In addition, as part of a comprehensive remapping that may occur following adoption of the new title 21, the existing B-3 zoning should be restricted in its application.

<sup>15</sup> 2005 NOTE: Names changed in the 2005 draft for the three downtown districts. All requirements relating to the CBD districts are otherwise unchanged from the current code. The Municipality is undertaking a new downtown plan and will update the downtown zoning as part of a separate project.

<sup>16</sup> 2005 NOTE: Several comments complained about these existing requirements, noting that they would prohibit some current Anchorage buildings (like the ACVB and the Performing Arts Center). In response, we propose removing several items from the prior list, including offices, education centers, and business service establishments. Again, the intent is simply to encourage more pedestrian-friendly retail at the street level.

<sup>17</sup> 2005 NOTE: This material, from the existing code, has been relocated here from the dimensional standards chapter, where it was in the prior draft.

<sup>18</sup> NOTE: Staff notes that recent projects under this section have had plazas, but have not increased solar access or scenic views.

<sup>19</sup> NOTE: This is carried forward from the existing chapter 21.40, "Zoning Districts," with no substantive changes. There is a new summary table consolidating bonus point information in one place. Because the downtown districts are not a central focus of this project, we have heard little input on how well this existing material is working. Some modest tweaks to the system may be possible now, but more likely the entire system should be reevaluated as part of the new downtown planning and zoning effort.

<sup>20</sup> NOTE: Staff recommends reducing the bonus points for skywalks from the current 30 to 10.

<sup>21</sup> 2005 NOTE: We have attempted to fill in the cross-references of this subsection, but staff should check all cross-references in this section for accuracy. The final sentence in this subsection is new, based on the following note. OLD NOTE: Regarding this existing provision, staff notes: "The extent of this transferable right ("the amount of building square footage permitted on that lot under subsection B. of this section, less the amount allowed under this subsection I") should be determined and a letter recorded against the property. As building area is transferred from one lot to another, documents detailing the transfer should be recorded against both properties. Please make this record-keeping a requirement."

<sup>22</sup> 2005 NOTE: The "alternatives analysis" requirement from the existing code has been removed. OLD NOTE: This is the existing MC district. Standards are based on the existing 21.50.290 "Conditional use standards--Marine commercial and marine industrial facilities."

<sup>23</sup> 2005 NOTE: New district in the 2005 draft.

<sup>24</sup> NOTE: It will be important to create a level playing field so that the mixed-use districts are a viable development option compared to the other districts. We should not create any procedures, use lists, or development standards that are so restrictive that they discourage development in the mixed-use districts. To that end, this draft suggests that the majority of the uses in the mixed-use district be approved through site plan review.

<sup>25</sup> 2005 NOTE: An alternative to restricting the size of individual businesses, yet still keep the district at a pedestrian scale, would be to enact a maximum building footprint size.

<sup>26</sup> 2005 NOTE: This is based on the C-1 district from the previous draft. OLD NOTE: Per discussions with staff, the existing B-1B district has been eliminated, and the existing B-1A district is retained here and renamed C-1.

<sup>27</sup> 2005 NOTE: An alternative to restricting the size of individual businesses, yet still keep the district at a pedestrian scale, would be to enact a maximum building footprint size.

<sup>28</sup> 2005 NOTE: This was just called the NMU district in the prior draft.

<sup>29</sup> 2005 NOTE: Examples of where this district might apply are the Muldoon town center and the Abbott town center.

<sup>30</sup> 2005 NOTE: An example of where this district might apply is the Dimond Center area.

<sup>31</sup> 2005 NOTE: New district in the 2005 draft. Is there a formal definition of the "Midtown area"?

<sup>32</sup> 2005 NOTE: This material was presented along with module 3 (the development standards) in the prior draft. OLD NOTE: Such standards may be used to ensure that new development is high quality and crafted to implement the goals of *Anchorage 2020*. Echoing an earlier point, it will important to ensure that the standards are not so stringent that they discourage development in the mixed-use districts.

<sup>33</sup> NOTE: Additional discussion necessary as to what types of public focus areas would be desirable and would satisfy the requirement.

<sup>34</sup> NOTE: This section includes an example of a menu-based standard. This type of flexible regulation could be appropriate in Anchorage for a variety of design-related regulations.

<sup>35</sup> 2005 NOTE: New district in the 2005 draft.

<sup>36</sup> NOTE: This district is based on the existing I-1 district. Based on extensive feedback from the community suggesting that this district is being used too often for commercial development, we removed the reference allowing commercial uses that support industrial uses. The use table in 21.05 contains a narrower list of commercial uses allowed in this district.

<sup>37</sup> NOTE: This district is based on the existing I-2 district. Just as was done with the I-1 district, the reference that allowed "uses generally permitted in commercial districts" was deleted.

<sup>38</sup> 2005 NOTE: The "alternatives analysis" requirement from the existing code has been removed. OLD NOTE: This is the existing MI district.

<sup>39</sup> 2005 NOTE: There is continuing, strong disagreement regarding the need for and purpose of this district, with state and airport personnel saying that state-owned airports are not subject to local planning and zoning. The topic must be discussed further by municipal and state officials. OLD NOTE: This draft Airport Development (AD) District is based on staff's December 1997 proposed ordinance, as well as comments on that ordinance from a January 5, 1998, meeting, and a December 1997 memo from Tom Nelson. It is anticipated that this AD district may undergo changes after the resolution of the jurisdictional issues between the State of Alaska and MOA. Nevertheless, as drafted, the draft district can provide a structure for further discussion. We have integrated the 1997 draft district into the appropriate places in this module. The intent statement is here, and most uses have been added to the use table in chapter 21.05. Some uses from the 1997 draft ("Camper parks," "liquor stores," "cold storage and processing facilities for fish" and "incinerator facilities") were removed in accordance with suggestions made by the commentators. A use-specific standard was also added to chapter 21.05 for "Airport."

<sup>40</sup> 2005 NOTE: To clarify, this existing AF district is not the only place in the municipality in which towers could go. However, there are new standards in chapter 21.05 to help soften the visual impacts of new towers, wherever they are approved. OLD NOTE: This is the existing AF district.

<sup>41</sup> 2005 NOTE: Numerous comments requested clarification on the intended nature of this new district, and specifically its relationship to the PLI district (and now the new parks district). Note that open lands have been removed from the PLI district. Also, the new land use plan map should help clarify the intended function of this new district. OLD NOTE: This is a new district suggested by staff to function as a development reserve area.

<sup>42</sup> 2005 NOTE: This is based on the existing PLI district. However, the intention is to focus remove most utility and industrial-type uses from the district and place them into industrial zones. The language about reserving lands has been removed from the purpose statement, to reduce confusion with the new OL district.

<sup>43</sup> 2005 NOTE: New district in the 2005 draft.

<sup>44</sup> NOTE: This is the existing R-11 district. Girdwood will be removed from the R-11 district and the new Girdwood zones will be in the new chapter 21.09, *Girdwood*.

<sup>45</sup> 2005 NOTE: This commercial section now contains language exactly from the current code. NOTE: This set of requirements is very confusing in the current code and it is not clear what thresholds apply to commercial development.

<sup>46</sup> NOTE: This is the existing W district. However, rather than keeping the current open-ended authorization for any type of conditional use, a limited number of possible conditional uses have been identified in the use table in 21.05.

<sup>47</sup> NOTE: The current section 21.20.140, "Overlay District Amendments," has been folded into the new chapter 21-3. This change was made following initial public review of chapter 21-3.

<sup>48</sup> NOTE: This district is based on the existing "Airport Height Zoning Regulations" of chapter 21.65.

<sup>49</sup> 2005 NOTE: HBA asks if this provision applies also to undeveloped property. We are unsure of the answer (or the origin of the 1986 date) and will discuss further with staff.

<sup>50</sup> 2005 NOTE: Purpose statement rewritten for clarity in response to several comments. OLD NOTE: This is a new district. A conservation district is a *voluntary* tool that may be used to preserve a neighborhood's unique features. For the district to be applied, specific design regulations would need to be developed for each area, and such regulations could be located elsewhere in

title 21 (probably in chapter 21.07, *Development and Design Standards*) or could be maintained by staff outside of title 21. Unlike preservation districts, which can be relatively restrictive and involve special review procedures and bodies, conservation districts can be strict or relatively loose depending on the neighborhood and how much regulation it wants to impose upon itself. Generally such districts are more flexible than preservation districts and only regulate a few specific design attributes, such as porch placement or setbacks.

<sup>51</sup> NOTE: The final approval for establishing the NCO has to be the Assembly, since it is a rezoning. However, an outstanding issue to be discussed is what body reviews the NCO proposals and makes a recommendation to the Assembly. Options include the Planning Commission (which makes recommendations on all other rezonings), or the Urban Design Commission (which would fulfill the desire to give that body a more substantive role), or perhaps both of these bodies. The current draft has the UDC make a recommendation to P&Z, which then recommends to the Assembly (this would allow the P&Z to overrule the UDC in cases of disagreement).

<sup>52</sup> 2005 NOTE: This last criterion is new in the 2005 draft.

<sup>53</sup> 2005 NOTE: For simplicity, this draft section removes the 50% threshold requirement that was in the previous code, and just has the applications being heard by the regular decision-maker.

<sup>54</sup> 2005 NOTE: Item c. in this list is new in the 2005 draft. OLD NOTE: These draft development standards simply list the types of standards that may be regulated in an NCO district, but there are no general standards applicable to all NCO districts. In other words, a new set of neighborhood-specific standards would need to be developed each time a new NCO district is proposed.

<sup>55</sup> NOTE: This section carries forward the existing regulations from chapter 21.60, "Flood Plain Regulations."

<sup>56</sup> 2005 NOTE: The term "administrative agent" has been replaced throughout this section.